
A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 INTRODUCTION

3 SECTION 1. The legislature finds that section 89-10(b),
4 Hawaii Revised Statutes, states:

5 *"(b) All cost items shall be subject to*
6 *appropriations by the appropriate legislative bodies.*
7 *. . . The state legislature or the legislative bodies*
8 *of the counties acting in concert, as the case may be,*
9 *may approve or reject the cost items submitted to*
10 *them, as a whole. If the state legislature or the*
11 *legislative body of any county rejects any of the cost*
12 *items submitted to them, all cost items submitted*
13 *shall be returned to the parties for further*
14 *bargaining."*

15 The legislature further finds that section 89-6, Hawaii
16 Revised Statutes, establishes thirteen bargaining units that are
17 authorized to bargain collectively in public employment. These
18 thirteen units are represented by six exclusive representative



1 organizations, of which five are authorized to negotiate with
2 the State of Hawaii as the employer:

- 3 (1) The United Public Workers, representing bargaining
4 units (1), nonsupervisory employees in blue-collar
5 positions; and (10), institutional, health, and
6 correctional workers;
- 7 (2) The Hawaii Government Employees Association,
8 representing bargaining units (2), supervisory
9 employees in blue-collar positions; (3),
10 nonsupervisory employees in white-collar positions;
11 (4), supervisory employees in white-collar positions;
12 (6), educational officers and other personnel of the
13 department of education under the same pay schedule;
14 (8), personnel of the University of Hawaii and the
15 community college system, other than faculty; (9),
16 registered professional nurses; and (13), professional
17 and scientific employees, who cannot be included in
18 any of the other bargaining units;
- 19 (3) The Hawaii State Teachers Association, representing
20 bargaining unit (5), teachers and other personnel of
21 the department of education under the same pay
22 schedule, including part-time employees working less



1 than twenty hours a week who are equal to one-half of
2 a full-time equivalent;

3 (4) The University of Hawaii Professional Assembly,
4 representing bargaining unit (7), faculty of the
5 University of Hawaii and the community college system;
6 and

7 (5) The Hawaii Fire Fighters Association, representing
8 bargaining unit (11).

9 The purpose of this Act is to authorize cost items
10 submitted to the legislature for bargaining units represented by
11 the United Public Workers, and for officers and employees who
12 are excluded from collective bargaining but belong to the same
13 compensation plans as those officers and employees within
14 corresponding bargaining units, which are applicable to fiscal
15 years 2011-2012 and 2012-2013.

16 PART II

17 UNITED PUBLIC WORKERS

18 SECTION 2. There are appropriated or authorized from the
19 sources of funding indicated below to health premium payments-
20 state (BUF 761) the following sums or so much thereof as may be
21 necessary to fund for fiscal biennium 2011-2013 the Hawaii
22 employer-union health benefits trust fund costs contained in the



1 collective bargaining agreement negotiated with the exclusive
2 bargaining representative of collective bargaining unit (1):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
4 General funds	\$	\$

5 Funds appropriated or authorized by this section shall be
6 allotted by the director of finance to the appropriate state
7 departments or agencies for expenditure in the respective fiscal
8 year for the purposes of this part.

9 SECTION 3. There are appropriated or authorized from the
10 sources of funding indicated below to health premium payments-
11 state (BUF 761) the following sums or so much thereof as may be
12 necessary to fund for fiscal biennium 2011-2013 the Hawaii
13 employer-union health benefits trust fund costs authorized by
14 chapter 89C, Hawaii Revised Statutes, for state officers and
15 employees in the executive branch who are excluded from
16 collective bargaining and belong to the same compensation plans
17 as those officers and employees within bargaining unit (1):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
19 General funds	\$	\$

20 Funds appropriated or authorized by this section shall be
21 allotted by the director of finance to the appropriate state



1 departments or agencies for expenditure in the respective fiscal
2 year for the purposes of this part.

3 SECTION 4. There are appropriated or authorized from the
4 sources of funding indicated below to department administration
5 and budget division (BUF 101) the following sums or so much
6 thereof as may be necessary to fund for fiscal biennium 2011-
7 2013 all collective bargaining cost items in the collective
8 bargaining agreement negotiated with the exclusive bargaining
9 representative of collective bargaining unit (1):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
11 General funds	\$	\$
12 Special funds	\$	\$
13 Federal funds	\$	\$
14 Other funds	\$	\$

15 The funds appropriated or authorized by this section shall
16 be allotted by the director of finance to the appropriate state
17 departments or agencies for expenditure in each respective
18 fiscal year for the purposes of this part.

19 SECTION 5. There are appropriated or authorized from the
20 sources of funding indicated below to department administration
21 and budget division (BUF 101) the following sums or so much
22 thereof as may be necessary to fund for fiscal biennium 2011-



1 2013 the cost items authorized by chapter 89C, Hawaii Revised
 2 Statutes, for state officers and employees in the executive
 3 branch who are excluded from collective bargaining and belong to
 4 the same compensation plans as those officers and employees
 5 within collective bargaining unit (1):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
7 General funds	\$	\$
8 Special funds	\$	\$
9 Federal funds	\$	\$
10 Other funds	\$	\$

11 The funds appropriated or authorized by this section shall
 12 be allotted by the director of finance to the appropriate state
 13 departments or agencies for expenditure in each respective
 14 fiscal year for the purposes of this part.

15 SECTION 6. There are appropriated or authorized from the
 16 sources of funding indicated below to administration (JUD 601)
 17 the following sums or so much thereof as may be necessary to
 18 fund for fiscal biennium 2011-2013 all collective bargaining
 19 cost items in the collective bargaining agreement negotiated
 20 with the exclusive bargaining representative of collective
 21 bargaining unit (1):



	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
1		
2	\$	\$
3	\$	\$

4 The funds appropriated or authorized by this section shall
5 be allotted by the chief justice for expenditure in each
6 respective fiscal year for the purposes of this part.

7 SECTION 7. There are appropriated or authorized from the
8 sources of funding indicated below to administration (JUD 601)
9 the following sums or so much thereof as may be necessary to
10 fund for fiscal biennium 2011-2013 the cost items authorized by
11 chapter 89C, Hawaii Revised Statutes, for state officers and
12 employees of the judiciary who are excluded from collective
13 bargaining and belong to the same compensation plans as those
14 officers and employees within collective bargaining unit (1):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
15		
16	\$	\$
17	\$	\$

18 The funds appropriated or authorized by this section shall
19 be allotted by the chief justice for expenditure in each
20 respective fiscal year for the purposes of this part.

21 SECTION 8. There are appropriated or authorized from the
22 sources of funding indicated below to Hawaii health systems



1 corporation (HTH 210) the following sums or so much thereof as
 2 may be necessary to fund for fiscal biennium 2011-2013 all
 3 collective bargaining cost items in the collective bargaining
 4 agreement negotiated with the exclusive bargaining
 5 representative of collective bargaining unit (1) assigned to the
 6 Hawaii health systems corporation:

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
8 General funds	\$	\$

9 The funds appropriated or authorized by this section shall
 10 be allotted by the director of finance to the Hawaii health
 11 systems corporation for expenditure in each respective fiscal
 12 year for the purposes of this part.

13 SECTION 9. There are appropriated or authorized from the
 14 sources of funding indicated below to Hawaii health systems
 15 corporation (HTH 210) the following sums or so much thereof as
 16 may be necessary to fund for fiscal biennium 2011-2013 the cost
 17 items authorized by chapter 89C, Hawaii Revised Statutes, for
 18 state officers and employees assigned to the Hawaii health
 19 systems corporation who are excluded from collective bargaining
 20 and belong to the same compensation plans as those officers and
 21 employees within collective bargaining unit (1):



1		<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
2	General funds	\$	\$

3 The funds appropriated or authorized by this section shall
 4 be allotted by the director of finance to the Hawaii health
 5 systems corporation for expenditure in each respective fiscal
 6 year for the purposes of this part.

7 SECTION 10. There are appropriated or authorized from the
 8 sources of funding indicated below to health premium payments-
 9 state (BUF 761) the following sums or so much thereof as may be
 10 necessary to fund for fiscal biennium 2011-2013 the Hawaii
 11 employer-union health benefits trust fund costs contained in the
 12 collective bargaining agreement negotiated with the exclusive
 13 bargaining representative of collective bargaining unit (10):

14		<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
15	General funds	\$	\$

16 Funds appropriated or authorized by this section shall be
 17 allotted by the director of finance to the appropriate state
 18 departments or agencies for expenditure in the respective fiscal
 19 year for the purposes of this part.

20 SECTION 11. There are appropriated or authorized from the
 21 sources of funding indicated below to health premium payments-
 22 state (BUF 761) the following sums or so much thereof as may be

1 necessary to fund for fiscal biennium 2011-2013 the Hawaii
 2 employer-union health benefits trust fund costs authorized by
 3 chapter 89C, Hawaii Revised Statutes, for state officers and
 4 employees in the executive branch who are excluded from
 5 collective bargaining and belong to the same compensation plans
 6 as those officers and employees within bargaining unit (10):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
8 General funds	\$	\$

9 Funds appropriated or authorized by this section shall be
 10 allotted by the director of finance to the appropriate state
 11 departments or agencies for expenditure in the respective fiscal
 12 year for the purposes of this part.

13 SECTION 12. There are appropriated or authorized from the
 14 sources of funding indicated below to departmental
 15 administration and budget division (BUF 101) the following sums
 16 or so much thereof as may be necessary to fund for fiscal
 17 biennium 2011-2013 all collective bargaining cost items in the
 18 collective bargaining agreement negotiated with the exclusive
 19 bargaining representative of collective bargaining unit (10):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
21 General funds	\$	\$
22 Special funds	\$	\$



1	Federal funds	\$	\$
2	Other funds	\$	\$

3 The funds appropriated or authorized by this section shall
 4 be allotted by the director of finance to the appropriate state
 5 departments or agencies for expenditure in each respective
 6 fiscal year for the purposes of this part.

7 SECTION 13. There are appropriated or authorized from the
 8 sources of funding indicated below to departmental
 9 administration and budget division (BUF 101) the following sums
 10 or so much thereof as may be necessary to fund for fiscal
 11 biennium 2011-2013 the cost items authorized by chapter 89C,
 12 Hawaii Revised Statutes, for state officers and employees in the
 13 executive branch who are excluded from collective bargaining and
 14 belong to the same compensation plans as those officers and
 15 employees within collective bargaining unit (10):

16		<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
17	General funds	\$	\$
18	Special funds	\$	\$
19	Federal funds	\$	\$
20	Other funds	\$	\$

21 The funds appropriated or authorized by this section shall
 22 be allotted by the director of finance to the appropriate state



1 departments or agencies for expenditure in each respective
2 fiscal year for the purposes of this part.

3 SECTION 14. There are appropriated or authorized from the
4 sources of funding indicated below to administration (JUD 601)
5 the following sums or so much thereof as may be necessary to
6 fund for fiscal biennium 2011-2013 all collective bargaining
7 cost items in the collective bargaining agreement negotiated
8 with the exclusive bargaining representative of collective
9 bargaining unit (10):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
11 General funds	\$	\$
12 Special funds	\$	\$

13 The funds appropriated or authorized by this section shall
14 be allotted by the chief justice for expenditure in each
15 respective fiscal year for the purposes of this part.

16 SECTION 15. There are appropriated or authorized from the
17 sources of funding indicated below to administration (JUD 601)
18 the following sums or so much thereof as may be necessary to
19 fund for fiscal biennium 2011-2013 the cost items authorized by
20 chapter 89C, Hawaii Revised Statutes, for state officers and
21 employees of the judiciary who are excluded from collective



1 bargaining and belong to the same compensation plans as those
2 officers and employees within collective bargaining unit (10):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
4 General funds	\$	\$
5 Special funds	\$	\$

6 The funds appropriated or authorized by this section shall
7 be allotted by the chief justice for expenditure in each
8 respective fiscal year for the purposes of this part.

9 SECTION 16. There are appropriated or authorized from the
10 sources of funding indicated below to Hawaii health systems
11 corporation (HTH 210) the following sums or so much thereof as
12 may be necessary to fund for fiscal biennium 2011-2013 all
13 collective bargaining cost items in the collective bargaining
14 agreement negotiated with the exclusive bargaining
15 representative of collective bargaining unit (10) assigned to
16 the Hawaii health systems corporation:

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
18 General funds	\$	\$

19 The funds appropriated or authorized by this section shall
20 be allotted by the director of finance to the Hawaii health
21 systems corporation for expenditure in each respective fiscal
22 year for the purposes of this part.



1 SECTION 17. There are appropriated or authorized from the
 2 sources of funding indicated below to Hawaii health systems
 3 corporation (HTH 210) the following sums or so much thereof as
 4 may be necessary to fund for fiscal biennium 2011-2013 the cost
 5 items authorized by chapter 89C, Hawaii Revised Statutes, for
 6 state officers and employees assigned to the Hawaii health
 7 systems corporation who are excluded from collective bargaining
 8 and belong to the same compensation plans as those officers and
 9 employees within collective bargaining unit (10):

	<u>FY 2011-2012</u>	<u>FY 2012-2013</u>
11 General funds	\$	\$

12 The funds appropriated or authorized by this section shall
 13 be allotted by the director of finance to the Hawaii health
 14 systems corporation for expenditure in each respective fiscal
 15 year for the purposes of this part.

16 PART III

17 ADMINISTRATIVE PROVISIONS

18 SECTION 18. Salary increases and cost adjustments provided
 19 in this Act for any officer or employee whose compensation is
 20 paid, in whole or in part, from federal, special, or other funds
 21 shall be paid wholly or proportionately, as the case may be,
 22 from the respective funds.



1 SECTION 19. Funds appropriated or authorized by this Act
2 that are not expended or encumbered by June 30, 2012, and
3 June 30, 2013, of the respective fiscal years, shall lapse as of
4 those dates.

5 SECTION 20. If any provision of this Act, or the
6 application thereof to any person or circumstances is held
7 invalid, the invalidity does not affect other provisions or
8 applications of the Act which can be given effect without the
9 invalid provision or application, and to this end the provisions
10 of this Act are severable.

11 SECTION 21. This Act shall take effect on July 1, 2030.



Report Title:

Appropriation; Collective Bargaining; Hawaii Employer-Union Health Benefits Trust Fund Costs; Units (1) and (10)

Description:

Appropriates funds for Hawaii Employer-union Health Benefits Trust Fund costs, salary increases, and other cost items for bargaining units represented by United Public Workers and their excluded counterparts for fiscal years 2011-2012 and 2012-2013. Effective July 1, 2030. (SB1055 HD1)

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