

Honolulu, Hawaii

FEB 15 2012

RE: S.B. No. 2701

S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2701 entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYER-UNION HEALTH BENEFITS
TRUST FUND,"

begs leave to report as follows:

The purpose and intent of this measure is to make clarifying
amendments to the laws governing the Hawaii Employer-Union Health
Benefits Trust Fund. More specifically, this measure:

- (1) Defines "credited service" to align with the use of the
term "service" under the pension and retirement laws;
and
- (2) Clarifies the meaning of "employee" and "part-time,
temporary, and seasonal or casual employee" to comport
with existing public employee health benefits laws by
clarifying that:
 - (A) An employee does not include a per diem employee;
and
 - (B) A part-time, temporary, and seasonal or casual
employee is a person that is employed for fewer
than three months or whose employment is less than
one-half of a full-time equivalent position; not
necessarily both.



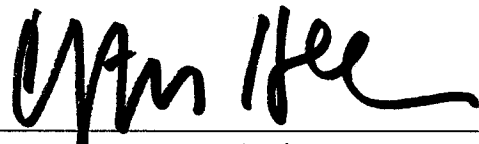
Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that certain terminology relating to the Hawaii Public Employees Health Fund, the predecessor of the Hawaii Employer-Union Health Benefits Trust Fund, remains in law and does not comport with existing public employee health benefits laws or reflect the Legislature's intent to grant health fund benefits to public sector employees based on status as an employee or service credits. As such, this measure makes clarifying amendments to and updates the laws governing the Hawaii Employer-Union Health Benefits Trust Fund.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2701, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2701, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB2701	Committee Referral: JDL, WAM	Date: 2/8/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam				✓
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes