

JAN 24 2013

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**A BILL FOR AN ACT**

MAKING EMERGENCY APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS.

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

1 PART I

2 SECTION 1. This Act is recommended by the governor for  
3 immediate passage in accordance with section 9 of article VII of  
4 the Hawaii state constitution.

5 PART II

6 SECTION 2. There are appropriated or authorized from the  
7 sources of funding indicated below to program planning,  
8 analysis, budgeting (BUF 101) the following sums, or so much  
9 thereof as may be necessary, to fund for fiscal  
10 biennium 2011-2013 all collective bargaining cost items for  
11 salary increases and other wage related costs in the arbitrated  
12 settlement for collective bargaining unit 9:

	<u>FY 2012-2013</u>
14 General Funds	-0-
15 Special Funds	-0-
16 Federal Funds	-0-
17 Other Funds	-0-

18 Of the above amounts, the following amounts are for the  
19 department of education:

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1		<u>FY 2012-2013</u>
2	General Funds	-0-
3	Special Funds	-0-
4	Federal Funds	-0-
5	Other Funds	-0-

6 SECTION 3. Funds appropriated or authorized by this part  
7 shall be allotted by the director of finance to the appropriate  
8 state departments for expenditure in the respective fiscal year  
9 for the purposes of this part.

10 PART III

11 SECTION 4. There are appropriated or authorized from the  
12 sources of funding indicated below to administrative director  
13 services (JUD 601) the following sums, or so much thereof as may  
14 be necessary, to fund for fiscal biennium 2011-2013 all  
15 collective bargaining cost items for salary increases and other  
16 wage related costs in the arbitrated settlement for collective  
17 bargaining unit 9:

18		<u>FY 2012-2013</u>
19	General Funds	-0-
20	Special Funds	-0-
21	Federal Funds	-0-

22 SECTION 5. Funds appropriated or authorized by this part  
23 shall be allotted by the chief justice for expenditure in the  
24 respective fiscal year for the purposes of this part.

1 PART IV

2 SECTION 6. There are appropriated or authorized from the  
3 sources of funding indicated below to program planning,  
4 analysis, budgeting (BUF 101) the following sums, or so much  
5 thereof as may be necessary, to fund for fiscal  
6 biennium 2011-2013, the salary increases and other cost  
7 adjustments authorized by chapter 89C, Hawaii Revised Statutes,  
8 for state officers and employees excluded from collective  
9 bargaining:

	<u>FY 2012-2013</u>
11 General Funds	-0-
12 Special Funds	-0-
13 Federal Funds	-0-
14 Other Funds	-0-

15 Of the above amounts, the following amounts are for the  
16 department of education:

	<u>FY 2012-2013</u>
18 General Funds	-0-
19 Special Funds	-0-
20 Federal Funds	-0-
21 Other Funds	-0-

22 SECTION 7. Funds appropriated or authorized by this part  
23 shall be allotted by the director of finance to the appropriate  
24 state departments for expenditure in the respective fiscal year  
25 for the purposes of this part.

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1 PART V

2 SECTION 8. There are appropriated or authorized from the  
3 sources of funding indicated below to administrative director  
4 services (JUD 601) the following sums, or so much thereof as may  
5 be necessary, to fund for fiscal biennium 2011-2013, the salary  
6 increases and other cost adjustments authorized by chapter 89C,  
7 Hawaii Revised Statutes, by the chief justice for state officers  
8 and employees excluded from collective bargaining:

	<u>FY 2012-2013</u>
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10 General Funds	-0-
11 Special Funds	-0-
12 Federal Funds	-0-

13 SECTION 9. The sums appropriated or authorized by this  
14 part shall be allotted by the chief justice for expenditure in  
15 the respective fiscal year for the purposes of this part.

16 PART VI

17 SECTION 10. There are appropriated or authorized from the  
18 sources of funding indicated below to program planning,  
19 analysis, and budgeting (BUF 101) the following sums, or so much  
20 thereof as may be necessary, to fund for fiscal  
21 biennium 2011-2013, all collective bargaining cost items for  
22 salary increases and other wage related costs in the arbitrated  
23 settlement for collective bargaining unit 9 assigned to the  
24 Hawaii health systems corporation:

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1 FY 2012-2013

2 General Funds -0-

3 Special Funds -0-

4 SECTION 11. Funds appropriated or authorized by this part  
5 shall be allotted by the director of finance to the Hawaii  
6 health systems corporation for expenditure in the respective  
7 fiscal year for the purposes of this part.

8 PART VII

9 SECTION 12. There are appropriated or authorized from the  
10 sources of funding indicated below to program planning,  
11 analysis, budgeting (BUF 101) the following sums, or so much  
12 thereof as may be necessary, to fund for fiscal  
13 biennium 2011-2013, the salary increases and other cost  
14 adjustments authorized by chapter 89C, Hawaii Revised Statutes,  
15 for state officers and employees excluded from collective  
16 bargaining assigned to the Hawaii health systems corporation:

17 FY 2012-2013

18 General Funds -0-

19 Special Funds -0-

20 SECTION 13. Funds appropriated or authorized by this part  
21 shall be allotted by the director of finance to the appropriate  
22 state departments for expenditure in the respective fiscal year  
23 for the purposes of this part.

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PART VIII

SECTION 14. Salary increases and cost adjustments provided in this Act for any officer or employee whose compensation is paid, in whole or in part, from federal, special, or other funds shall be paid wholly or proportionately, as the case may be, from the respective funds.

SECTION 15. Funds appropriated or authorized by this Act that are not expended or encumbered by June 30, 2013, shall lapse as of that date.

SECTION 16. This Act shall take effect upon its approval.

INTRODUCED BY: 

BY REQUEST

**Report Title:**

Appropriations for Collective Bargaining Cost Items

**Description:**

Provides fund authorizations and appropriations for all collective bargaining cost items for salary increases and other wage related costs in the arbitrated settlement for Unit 9 and its excluded counterparts for fiscal biennium 2011-2013.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

**SB. NO. 1063**

DEPARTMENT: Budget and Finance

TITLE: A BILL FOR AN ACT MAKING EMERGENCY  
APPROPRIATIONS FOR COLLECTIVE BARGAINING  
COST ITEMS.

PURPOSE: To provide fund authorizations and  
appropriations for fiscal biennium 2011-2013  
for all collective bargaining cost items for  
salary increases and other wage related  
costs in the arbitrated settlement for  
collective bargaining unit 9.

MEANS: By the submittal of a specific appropriation  
measure.

JUSTIFICATION: Fund authorizations and appropriations by  
the Legislature are necessary to cover the  
expected cost of implementing the arbitrated  
settlement for the employees of collective  
bargaining unit 9, and for state officers  
and employees excluded from collective  
bargaining unit 9 for the fiscal biennium  
commencing July 1, 2011.

Inasmuch as the arbitrated settlement with  
the bargaining unit was not completed in  
time to include the cost items in the  
2011-2013 biennium budget, a separate  
measure is proposed for submittal to the  
Legislature.

Impact on the public: "(I)t is the public  
policy of the State to promote harmonious  
and cooperative relations between government  
and its employees and to protect the public  
by assuring effective and orderly operations  
of government. These policies are best  
effectuated by (1) recognizing the right of  
public employees to organize for the purpose  
of collective bargaining, (2) requiring the  
public employers to negotiate with and enter  
into written agreements with exclusive



representatives on matters of wages, hours, and other conditions of employment, while, at the same time, (3) maintaining merit principles and the principle of equal pay for equal work among state and county employees . . . ." (Section 89-1, Hawaii Revised Statutes).

Impact on the department and other agencies:  
Pay raise and other negotiated cost items are not included in the departments' operating budget request.

GENERAL FUND: To be determined.

OTHER FUNDS: To be determined.

PPBS PROGRAM  
DESIGNATION: BUF 101, Program Planning, Analysis, Budgeting.  
JUD 601, Administrative Director Services.

OTHER AFFECTED  
AGENCIES: Judiciary.

EFFECTIVE DATE: Upon approval.