

Honolulu, Hawaii

MAR 21 2013

RE: H.B. No. 919

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 919 entitled:

"A BILL FOR AN ACT RELATING TO STATE EMPLOYMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to assist certain  
target populations in becoming contributing members of the  
community. Specifically, this measure:

- (1) Exempts persons who have committed controlled-substance-related offenses from automatic disqualification from public employment if the position is exempt from the civil service and reasonable safeguards exist to protect employees and the public; and
- (2) Clarifies civil service exemptions for positions filled by persons with severe disabilities or by students and for positions filled through federally funded programs or similar state programs.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Public Safety, Community Alliance on Prisons, and four individuals.

Your Committee finds that section 78-2.6, Hawaii Revised Statutes, prohibits the hiring of a person who has a criminal conviction for a controlled-substance-related offense within the last three years. This prohibition precludes certain former



inmates, such as participants in the Going Home project, from participating in work experience training. The Going Home project on the island of Hawaii has been a successful model for transitioning prisoners back into the community prior to and after their release from prison. This measure enables former substance abuse offenders to obtain work experience or fill temporary public service employment positions, provided that reasonable safeguards are in place to protect employees and the public.

Your Committee further finds that updating and expanding civil service exemptions under section 76-16(b), Hawaii Revised Statutes, will enable the Department of Labor and Industrial Relations to assist other target populations who require more supervision and training to become productive members of the workforce.

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 H.B. No. 919, and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

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



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CLAYTON HEE, Chair



