

STAND. COM. REP. NO. 712

Honolulu, Hawaii

**MAR 06 2015**

RE: S.B. No. 163  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 163, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

begs leave to report as follows:

The purpose and intent of this measure is to change the employer membership when negotiating collective bargaining agreements for bargaining units (5), (6), and (9).

Specifically, the measure provides that:

- (1) A representative of the public charter schools, as selected by the Public Charter School Commission, shall have one vote when negotiating collective bargaining agreements for bargaining units (5) and (6); and
- (2) When negotiating collective bargaining agreements for bargaining unit (9), there shall be three votes for the Governor, two votes for the Hawaii Health Systems Corporation Board of Directors, and one vote for the Chief Justice.

Your Committee received written comments in support of this measure from the State Public Charter School Commission, Hawaii Health Systems Corporation, and East Hawaii Region of the Hawaii Health Systems Corporation. Your Committee received written comments in opposition to this measure from the Department of



Education. Your Committee received written comments on this measure from the Office of Collective Bargaining.

Your Committee finds that providing a representative of the public charter schools with one vote on collective bargaining matters within units (5) and (6) may upset the deliberate balance of voting authority established between the Governor, the Board of Education, and the Superintendent of Education. The addition of a vote for the State Public Charter School Commission could create the potential for a collective bargaining agreement that is not supported by the Governor or, alternatively, not supported by the Board of Education or Superintendent of Education. In any case, the result could be an agreement that would not seem to be in the best interests of the public.

Your Committee has amended this measure by deleting language that provided a representative of the public charter schools with one vote on collective bargaining agreements for bargaining units (5) and (6).

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 163, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 163, S.D. 2.

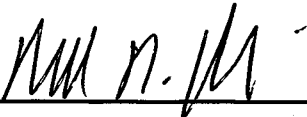
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
\_\_\_\_\_  
JILL N. TOKUDA, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>SB 163 SD1</b>	Committee Referral: <b>JDL WAM</b>	Date: <b>2/27/15</b>		
<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
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-size: 2em; font-family: cursive;">  </div>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes