

STAND. COM. REP. NO. **2450**

Honolulu, Hawaii

FEB 19 2016

RE: S.B. No. 2880
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2880 entitled:

"A BILL FOR AN ACT RELATING TO SERVICES PERFORMED BY CIVIL
SERVICE EMPLOYEES,"

begs leave to report as follows:

The purpose and intent of this measure is to appropriate
funds to the Department of Public Safety, Department of Land and
Natural Resources, Department of Defense, and Department of
Accounting and General Services to establish civil service
positions.

Your Committee received testimony in support of this measure
from the Department of Accounting and General Services; Department
of Public Safety; Department of Human Resources Development;
Department of Land and Natural Resources; and United Public
Workers, AFSCME, Local 646, AFL-CIO.

Your Committee finds that in Konno v. Hawaii County, 937 P.
2d 397 (1997), the Hawaii Supreme Court held that state civil
service laws allow only civil service employees to perform work
historically and customarily done by civil service employees. In
June 2015, following years of litigation related to the Konno
ruling, the United Public Workers and the State's executive branch
entered into a letter of understanding that includes the
requirement that departments identify positions and resources
needed to enable contracted work to be performed by civil service
employees. Implementation of this measure will support state

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agency operations as part of a mediated process to address the objections of the United Public Workers.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (2) 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. 2880, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2880, S.D. 1, and be referred to your Committee on Ways and Means.

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



GILBERT S.C. KEITH-AGARAN, Chair



