

Honolulu, Hawaii

FEB 15 2017

RE: S.B. No. 410
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 410 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:

- (1) Clarify the allowable scope of collective bargaining negotiations; and
- (2) Clarify prohibited practices for parties to a public employment collective bargaining agreement.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; University of Hawaii Professional Assembly; State of Hawaii Organization of Police Officers; Hawaii State Teachers Association; and Hawaii Fire Fighters Association, International Association of Fire Fighters Local 1463, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development, County of Hawaii Office of the Mayor, County of Kauai Department of Human Resources, and County of Maui Office of the Mayor.

Your Committee finds that government is more effective when public employees share in the decision-making process affecting wages and working conditions. Fairness in this process and cooperation between parties is essential to a healthy collective



bargaining environment. Your Committee finds that this measure promotes the joint decision-making process while ensuring fairness between public employers and respective bargaining units.

Your Committee has amended this measure by:

- (1) Deleting section 2 to retain the current statutory language relating to prohibited practices for parties to a public employment collective bargaining agreement;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) 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. 410, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 410, 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



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 410	Committee Referral: JDL, WAM	Date: 2/19/17		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	5	0	0	0
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