

Honolulu, Hawaii
February 15, 2018

RE: H.B. No. 1787
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1787 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow a representative of each county council to be present as a nonvoting participant in negotiations with bargaining units if the relevant county has employees in the particular bargaining unit; and
- (2) Require the mayors or their representatives to provide timely updates to their respective county councils relating to bargaining unit negotiations.

A Councilmember from the County of Hawaii, a Councilmember from the County of Kauai, two Councilmembers from the County of Maui, Hawai'i State Association of Counties, and an individual testified in support of this measure. The United Public Workers, AFSCME, Local 646, AFL-CIO opposed this measure. The Office of Collective Bargaining provided comments on this measure.

At the public hearing on this measure, the issue of separation of powers was raised with respect to the provisions



allowing county council representatives to attend collective bargaining negotiations. Your Committee noted concerns that the effect of allowing county council representatives to be present as nonvoting participants in negotiations with bargaining units may infringe upon the division of powers of the Executive Branch and Legislative Branch.

After careful consideration, your Committee amended this measure by:

- (1) Deleting provisions that would allow a representative of each county council to be present in negotiations with the bargaining units of their employees;
- (2) Changing its effective date to January 1, 2050, to facilitate further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1787, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1787, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



AARON LING JOHANSON, Chair



State of Hawaii
House of Representatives
The Twenty-ninth Legislature

HSCR 472-18

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 1787	Committee Referral: LAB, FIN	Date: 02-08-18		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	✓			
2. HOLT, Daniel (VC)	✓			
3. EVANS, Cindy	✓			
4. ICHIYAMA, Linda	✓			
5. KEOHOKALOLE, Jarrett	✓			
6. YAMASHITA, Kyle T.	✓			
7. MATSUMOTO, Lauren Kealohilani	✓			
TOTAL (7)	7	0	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align: center; font-size: 24pt; font-family: cursive;">D. Holt</div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				