

STAND. COM. REP. NO. **2752**

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2610
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2610 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to add a definition of "intern" to the State Ethics Code and include interns among state employees to whom the Code applies.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission and one individual.

Your Committee finds that Advisory Opinion No. 2006-1, issued by the Hawaii State Ethics Commission, determined that legislative interns are deemed to be employees and are therefore subject to the provisions of the State Ethics Code. Your Committee further finds that some interns, especially those interns who intern full-time with the State, might appear to an outsider to be a full-time state employee. Subjecting interns to the provisions of the State Ethics Code will promote greater consistency in the application and enforcement of ethics rules in state agencies and governmental institutions.

Your Committee notes that further discussion is necessary relating to the issue of whether interns will be bound by the



provisions of the post-employment requirements in section 84-18, Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "intern" to mean:
 - (A) A person who, for an unspecified number of hours or more per week, performs unpaid services for the State as part of an educational internship program; or
 - (B) A private sector employee who takes an unpaid leave of absence from their other employment to instead work for the State for a fixed period of time not to exceed an unspecified number of days; and
- (2) Inserting an effective date of January 1, 2035, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2610, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2610, S.D. 1.

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



BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SB 2610</i>	<i>LBR, JDC</i>	<i>3/01/2018</i>		
<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 <small>2312</small> <input checked="" type="checkbox"/> Pass, with amendments <small>2311</small> <input type="checkbox"/> Hold <small>2310</small> <input type="checkbox"/> Recommit <small>2313</small>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	<i>5</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Karl Rhoads</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes