

STAND. COM. REP. NO. 442

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 810
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Education and Labor, Culture and the Arts, to which was referred S.B. No. 810 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Eliminate the Superintendent of Education as a voting member constituting the public employer for the purpose of negotiating a collective bargaining agreement with personnel of the Department of Education; and
- (2) Reduce the total number of votes the voting members have from six to five, allocating three to the Board of Education and two to the Governor.

Your Committees received testimony in support of this measure from four individuals. Your Committees received testimony in opposition to this measure from the Office of Collective Bargaining, Department of Budget and Finance, Department of Education, and one individual.

Your Committees find that prior to Act 253, Session Laws of Hawaii 2000, the Superintendent of Education did not have a vote or say in negotiations over a collective bargaining agreement for bargaining units (5) and (6). The Board of Education members were



highly involved in negotiations and the Department of Education was required to work closely and transparently with the Board of Education in collective bargaining negotiations for Department of Education employees in collective bargaining units (5) and (6). Since then, there has been a decrease in participation and involvement of the Board of Education in the collective bargaining negotiations relating to those employees. This measure removes the Superintendent of Education as a voting party, which would require the Department of Education to work more closely with the Board of Education as it did in the past.

Your Committees have amended this measure by specifying that, for the purpose of negotiating a collective bargaining agreement for bargaining units (5) and (6), the distribution of votes shall be three for the Governor and two for the Board of Education.

As affirmed by the records of votes of the members of your Committees on Education and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 810, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 810, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Labor, Culture and the Arts,



BRIAN T. TANIGUCHI, Chair



MICHELLE N. KIDANI, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* SB810	Committee Referral: EDU/LCA, WAM	Date: 02/17/2021
---	--	----------------------------

The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KIDANI, Michelle N. (C)	/			
KIM, Donna Mercado (VC)		/		
DELA CRUZ, Donovan M.	/			
KANUHA, Dru Mamo	/			
FEVELLA, Kurt	/			
TOTAL	4	1		

Recommendation: Adopted 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**

