

STAND. COM. REP. NO. 3934

Honolulu, Hawaii

APR - 8 2022

RE: H.B. No. 2159  
H.D. 1  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 2159, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT BOARDS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Rename the Hawaii Workforce Development Council as the Hawaii Workforce Development Board;
- (2) Require the Governor to appoint an Executive Director of the Board from a list of three nominees submitted by the Board; and
- (3) Prohibit members of the Hawaii Workforce Development Board and local workforce development boards from engaging in any activity determined by the Governor to constitute a conflict of interest.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Workforce Development Council, and University of Hawai'i System.

Your Committees find that Act 88, Sessions Laws of Hawaii 2021, also known as the General Appropriations Act of 2021,



eliminated the program identification number for the Workforce Development Council (LBR135) and transferred its appropriations and positions to the Department of Labor and Industrial Relations' Workforce Development Division. This measure amends chapter 202, Hawaii Revised Statutes, which governs the Workforce Development Council, to conform with the new appropriation structure set forth in the General Appropriations Act of 2021.

Your Committees have amended this measure by:

- (1) Replacing the conflict of interest language that prohibits members of the Hawaii Workforce Development Board and local workforce development boards from engaging in any activity determined by the Governor to constitute a conflict of interest with conflict of interest language that requires the Hawaii Workforce Development Board and local workforce development boards to develop written conflict of interest policies consistent with federal law and prohibits the Hawaii Workforce Development Board and local workforce development boards to vote on or participate in a discussion about matters under certain circumstances or engage in activity determined by the Governor or the Governor's designee to constitute a conflict of interest;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2159, H.D. 1, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2159, H.D. 1, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair

  
KARL RHOADS, Chair





