

Honolulu, Hawaii

FEB 17 2022

RE: S.B. No. 2138
S.D. 1

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

Sir:

Your Committee on Labor, Culture and the Arts, to which was referred S.B. No. 2138 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 subject interns who work for the State to the provisions of chapter 84, Hawaii Revised Statutes, otherwise known as the State Ethics Code, by defining and including the term "intern" in the definition of "employees" under the Code.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission.

Your Committee finds that the State Ethics Commission has previously determined that interns, whether a student or an individual on loan from a private company, are employees within the definition of the State Ethics Code. This measure codifies the applicability of the Code to interns working for the State, thereby ensuring that future interns are aware of the applicable standard of conduct.

Your Committee notes the testimony of the Hawai'i State Ethics Commission raising concerns that the measure in its current form may allow an individual who works for a fixed period longer than as decided by the Legislature to evade the statutory definition of

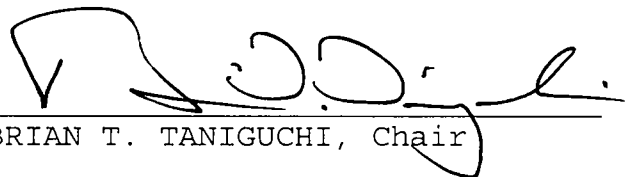


"intern", and suggesting that the measure place a limit of one hundred eighty days as the period of time for which an intern may work for the State.

Accordingly, your Committee has amended this measure by clarifying that the provisions of the State Ethics Code shall continue to apply to any individual who extends the individual's internship with the State after one hundred eighty days.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2138, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2138, S.D. 1, and be referred to your Committee on Judiciary.

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



BRIAN T. TANIGUCHI, Chair



