



**STATE OF HAWAII
OFFICE OF ELECTIONS**

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SCOTT T. NAGO
CHIEF ELECTION OFFICER

TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON LABOR
ON HOUSE BILL NO. 50
RELATING TO STATE GOVERNMENT

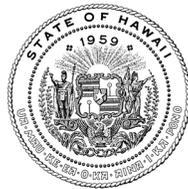
January 28, 2025

Chair Sayama and members of the House Committee on Labor, thank you for the opportunity to provide comments on House Bill No. 50. This bill authorizes boards and commissions to make employment decisions related to its officers and employees without the approval of the head of the department to which the board or commission is administratively attached.

While the Office of Elections has no objection to the purpose of the bill, it does have concerns that the language relating to the Office of Elections' authority regarding personnel matters is removed by this bill.

Section 1 of the bill removes the reference in HRS § 11-1.55 which permits the Office of Elections to make all decisions regarding employment, appointment, promotion, transfer, demotion, discharge, and job descriptions of all officers and employees of or under the jurisdiction of the Office of Elections without the approval of the Department Head. Since the Office of Elections is neither a board or commission, our concern is that the removal of this explicit language may create ambiguity as to whether we have the authority to make these personnel decisions without the approval of a board or commission. Given this, we would ask that this language be permitted to remain in HRS § 11-1.55.

Thank you for the opportunity to provide comments on House Bill No. 50.



JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

LUIS P. SALAVERIA
DIRECTOR

SABRINA NASIR
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
Ka 'Oihana Mālama Mo'ohelu a Kālā
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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT

WRITTEN ONLY
TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON LABOR
ON
HOUSE BILL NO. 50

January 28, 2025
9:00 a.m.
Room 309 and Videoconference

RELATING TO STATE GOVERNMENT

The Department of Budget and Finance (B&F) opposes this bill.

House Bill (H.B.) No. 50 amends Section 26-35(a)(4), HRS, by removing the requirement that employment and personnel decisions made by boards or commissions be subject to the approval of the head of the department to which the board or commission is attached for administrative purposes. H.B. No. 50 also makes conforming amendments to statutory provisions that currently exempt the board or commission, as applicable, of the Office of Elections, Elections Commission, Campaign Spending Commission, Hawai'i Housing Finance and Development Corporation, Land Use Commission, Hawai'i Technology Development Corporation, Transportation Management Area Metropolitan Planning Organizations, Hawai'i Health Systems Corporation, Hawai'i Health Systems Corporation Regional System Boards, Hawai'i Public Housing Authority, and Commission on Fatherhood from Section 26-35(a)(4), HRS.

B&F opposes this measure as a matter of general policy. Department heads should generally have the administrative authority to manage the employment and personnel

matters of their attached agencies. Furthermore, such decisions are critical tools to ensure that departments and their attached agencies remain fiscally prudent and stay within their approved budgets.

Thank you for your consideration of our comments.



STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA

January 28, 2025

To: The Honorable Jackson Sayama, Chair,
The Honorable Mike Lee, Vice Chair, and
Members of the House Committee on Labor

Date: Tuesday, January 28, 2025
Time: 9:00 a.m.
Place: Conference Room 309, State Capitol

From: Jade T. Butay, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. 50, RELATING TO STATE GOVERNMENT.

I. OVERVIEW OF PROPOSED LEGISLATION

The **DLIR opposes** this bill which authorizes its boards and commissions to make employment decisions related to its officers and employees without the approval of the head of the department to which the board or commission is administratively attached.

III. COMMENTS ON THE HOUSE BILL

The DLIR believes it is important for the department to oversee its boards and commissions to ensure compliance with current laws and regulations, including budgetary limits set by the federal programs. The state's personnel system is complex and complicated. Boards and commissions may not necessarily have the domain knowledge and technical expertise and understanding of the nuances and subtleties of the compliance processes on personnel that have been developed over long periods of time.



**Testimony Presented Before the
House Committee on Labor
Tuesday January 28, 2025 at 9:00 AM
Conference Room 309 and videoconference
By
Laura Reichhardt, APRN, AGPCNP-BC, FAAN
Director, Hawai'i State Center for Nursing**

Comments on H.B. 50

Chair Sayama, Vice Chair Lee, and members of the committee:

This measure authorizes boards and commissions to make employment decisions related to its officers and employees without the approval of the head of the department to which the board or commission is administratively attached.

The Hawai'i State Center for Nursing (HSCN) has an advisory board established by law. Therefore, HSCN is monitoring the bill.

Thank you for the opportunity to comment.

The mission of the Hawai'i State Center is to engage in nursing workforce research, promote best practices and disseminate knowledge, cultivate a diverse and well-prepared workforce, support healthy work environments, champion lifelong learning, and strategically plan for sound nursing workforce policy.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Third Legislature, State of Hawaii
The House of Representatives
Committee on Labor

Testimony by
Hawaii Government Employees Association

January 28, 2025

H.B. 50 — RELATING TO STATE GOVERNMENT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes the concept of H.B. 50, which authorizes boards and commissions to make employment decisions related to its officers and employees without the approval of the head of the department to which the board or commission is administratively attached.

The HGEA represents many administrative, clerical, and professional employees across a spectrum of boards or commissions that are administratively attached to an executive line-department that could be impacted by this measure. Boards or commissions are often comprised of a group of unpaid volunteers, that may have little knowledge in making employment decisions relating to collective bargaining agreements and civil service law. By eliminating a state department 'check' on employment decisions for employees, we have concerns that board members will now be granted with more authority to promote, transfer, demote, or discharge a line employee – which may lead to an uptick in collective bargaining agreement violations and unfair or inequitable employment decisions. This proposed change will also flag the question on who the employer will be for these employees. One of the purposes of having a line-department administrative check for these employees is to ensure that their rights and benefits, including salaries, are in alignment with and honored by these boards, just like other employees within the executive line-departments.

Thank you for the opportunity to provide testimony in opposition of H.B. 50.

Respectfully submitted,



Randy Perreira
Executive Director



Randy Perreira
President

HAWAII STATE AFL-CIO

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The Thirty-Second Legislature
House of Representatives
Committee on Labor

Testimony by
Hawaii State AFL-CIO

January 28, 2025

TESTIMONY IN SUPPORT OF HB50 - RELATING TO STATE GOVERNMENT

Chair Sayama, Vice Chair Lee, and members of the committee:

The Hawaii State AFL-CIO is a state federation of 74 affiliate labor organizations representing over 68,000 union members in Hawaii. The AFL-CIO serves its affiliates by advocating for the rights of working families, promoting fair wages, ensuring safe working conditions, and supporting policies that strengthen Hawaii's workforce.

We are in opposition to HB50, which authorizes boards and commissions to make employment decisions related to their officers and employees without approval from the head of the department to which the board or commission is administratively attached. This proposal removes an important layer of oversight that helps ensure employment decisions are made consistently and in alignment with collective bargaining agreements and the policies of the administratively attached department.

Boards and commissions play an essential role in state government, but members of these bodies may lack the experience or qualifications needed to make complex employment decisions. Without input and oversight from the departments they are attached to, these boards and commissions risk making inconsistent or improper decisions that could conflict with collective bargaining agreements or departmental policies. This would create uncertainty for employees and erode workplace trust and morale.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Burnett".

Chris Burnett
Director, Committee on Political Education