Honolulu, Hawaii

Feb 5, 2007

RE: H.B. No. 887

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 887 entitled:

"A BILL FOR AN ACT RELATING TO WHISTLEBLOWERS' PROTECTION," begs leave to report as follows:

The purpose of this bill is to strengthen the Whistleblowers' Protection Act by:

- (1) Providing additional protections to public employees who report or are about to report to a public employer or public body:
 - (A) Law violations;
 - (B) Actions by a public employer or public employee that are economically wasteful or involved gross misconduct, incompetence, or inefficiency; and
 - (C) Conditions that may significantly threaten the health or safety of the public or of the public employee;
- (2) Allowing a public employee to bring civil action for punitive damages for reporting alleged violations; and
- (3) Expanding the role of the State Ombudsman regarding whistleblower protection.

The Hawaii Government Employees Association, ILWU Local 142, and Hawaii State Teachers Association testified in support of this bill. The Department of Human Resources of the City and County of Honolulu testified in opposition to this measure. The Department of Human Resources Development, Department of the Attorney General, and Office of the Ombudsman commented on this bill.

The Whistleblowers' Protection Act was enacted to protect employees who report violations of federal, state, and local laws, regulations, or any other illegal activity performed by an employer. Your Committee finds that this measure could result in more efficient and ethical government operations since employees are more apt to come forward and report problems if they are protected for doing so.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 887 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Labor & Public Employment,

ALEX M. SONSON, Chair

HSCR50

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 887	Date:	Date: 1 ~ 30 - 67			
Committee Referral: LAB, JUD, FIN		☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	☐ Pass, with amendments				
Hold		 Pass, with amendments, for recommittal for further consideration 			
LAB Members	Ayes	Ayes (WR)	Nays	Excused	
1. SONSON, Alex M. (C)	/				
2. NAKASONE, Bob (VC)	/				
3. EVANS, Cindy					
4. HAR, Sharon E.		_			
5. LEE, Marilyn B.					
6. LUKE, Sylvia					
7. McKELVEY, Angus L.K.					
8. NISHIMOTO, Scott Y.	✓				
9. SOUKI, Joseph M.					
10. TAKAMINE, Dwight Y.	/				
11. TAKUMI, Roy M.	V				
12. MEYER, Colleen Rose					
13. PINE, Kymberly Marcos					
TOTAL	9	3		l,	
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s) Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office					