STAND. COM. REP. NO. Or

Honolulu, Hawaii

## MAR 2 1 2013

## RE: H.B. No. 919

Honorable Donna Mercado Kim President of the Senate Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 919 entitled:

"A BILL FOR AN ACT RELATING TO STATE EMPLOYMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to assist certain target populations in becoming contributing members of the community. Specifically, this measure:

- (1) Exempts persons who have committed controlled-substancerelated offenses from automatic disqualification from public employment if the position is exempt from the civil service and reasonable safeguards exist to protect employees and the public; and
- (2) Clarifies civil service exemptions for positions filled by persons with severe disabilities or by students and for positions filled through federally funded programs or similar state programs.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Public Safety, Community Alliance on Prisons, and four individuals.

Your Committee finds that section 78-2.6, Hawaii Revised Statutes, prohibits the hiring of a person who has a criminal conviction for a controlled-substance-related offense within the last three years. This prohibition precludes certain former



STAND. COM. REP. NO. 959 Page 2

inmates, such as participants in the Going Home project, from participating in work experience training. The Going Home project on the island of Hawaii has been a successful model for transitioning prisoners back into the community prior to and after their release from prison. This measure enables former substance abuse offenders to obtain work experience or fill temporary public service employment positions, provided that reasonable safeguards are in place to protect employees and the public.

Your Committee further finds that updating and expanding civil service exemptions under section 76-16(b), Hawaii Revised Statutes, will enable the Department of Labor and Industrial Relations to assist other target populations who require more supervision and training to become productive members of the workforce.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 919, and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

> Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

CLAYTON HEE, Chair



## The Senate Twenty-Seventh Legislature State of Hawai'i

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee	Referral:	Dat	e: /	
HB 919	JDL,	WAM		3/13/	13
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)		$\checkmark$			
SHIMABUKURO, Maile S.L. (VC)		$\checkmark$			
GABBARD, Mike					
IHARA, Jr., Les					
SLOM, Sam		$\checkmark$			
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TOTAL					
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