

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 139
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 139, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CIVIL SERVICE EXEMPTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to ensure that the limited authority to exempt positions from civil service pursuant to section 76-16, Hawaii Revised Statutes, is being used as intended by the Legislature.

More specifically, this measure:

- (1) Requires each director of a central personnel agency for a jurisdiction to review civil service positions exempted from July 1, 2002, and prior to July 1, 2014, to determine whether the civil service positions should remain exempt;
- (2) Suspends, until July 1, 2017, the requirement that a person holding an exempt position for at least one year prior to that position being replaced with a civil service position meet certain qualifications to be appointed to that civil service position; and
- (3) Requires the Director of Human Resources Development to submit a report to the Legislature related to the review of the civil service positions exempted from July 1, 2002, and prior to July 1, 2014.



Your Committee finds that the State has made an effort to curb the use of civil service exempt positions in order to promote the merit principle on which the civil service system is based. Your Committee believes that the review of exemptions from civil service, coupled with temporary authority to retain incumbents in positions reverted to civil service even if the incumbent does not currently meet the minimum qualifications for the position, will help ensure that positions remain exempt from civil service only as intended by the Legislature.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 139, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB139 SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">JDL, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/27/15</div>										
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____												
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>												
Members	Aye	Aye (WR)	Nay	Excused								
TOKUDA, Jill N. (C)	✓											
KOUCHI, Ronald D. (VC)	✓											
CHUN OAKLAND, Suzanne	✓											
DELA CRUZ, Donovan M.	✓											
ENGLISH, J. Kalani	✓											
GALUTERIA, Brickwood	✓											
HARIMOTO, Breene	✓											
INOUE, Lorraine R.	✓											
RIVIERE, Gil	✓											
RUDERMAN, Russell E.	✓											
SLOM, Sam	✓											
TOTAL	11	0	0	0								
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>												
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">M. N. M.</div>												
<table style="width: 100%; font-size: 0.8em;"> <tr> <td style="width: 25%;">Distribution:</td> <td style="width: 25%;">Original</td> <td style="width: 25%;">Yellow</td> <td style="width: 25%;">Pink</td> </tr> <tr> <td></td> <td>File with Committee Report</td> <td>Clerk's Office</td> <td>Drafting Agency</td> </tr> </table> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> Goldenrod Committee File Copy </div>					Distribution:	Original	Yellow	Pink		File with Committee Report	Clerk's Office	Drafting Agency
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*Only one measure per Record of Votes