

Honolulu, Hawaii

JUN 29 2020

RE: H.B. No. 1698
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Labor, Culture and the Arts and Ways and Means, to which was referred H.B. No. 1698, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

beg leave to report as follows:

The purpose and intent of this measure is to amend the employees included in bargaining unit (14) by:

- (1) Retaining state law enforcement officers (LEOs) under bargaining unit (14); and
- (2) Creating a separate bargaining unit (15) for state and county ocean safety and water safety officer (OSOs).

Your Committees received testimony in support of this measure from City and County of Honolulu; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and nine individuals.

Your Committees find that combining the specialized needs of LEOs and OSOs into one bargaining unit has proven to be impractical as they are two separate and distinct occupational classes. LEOs are armed personnel:

- (1) Trained to execute law enforcement services statewide;



- (2) Trained to handle detained persons;
- (3) Who serve arrest warrants; and
- (4) Ensure the compliance of state law in a variety of areas, including airports, courts, harbors, and state lands.

OSOs are not armed and do not provide law enforcement services, but rather are:

- (1) Trained for ocean rescues;
- (2) Emergency medical first responders; and
- (3) Trained for injury prevention.

Your Committees further find that through a separate bargaining unit, the mandatory trainings, certifications, and specialized needs of LEOs and OSOs would be more directly and uniformly addressed. Your Committees note that separation of bargaining unit (14) into two distinct units would not affect the voting structure for the purposes of negotiating a collective bargaining agreement with four hundred thirteen LEO members and four hundred five OSO members, respectively.

Your Committees have amended this measure by:

- (1) Changing the effective date to be upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

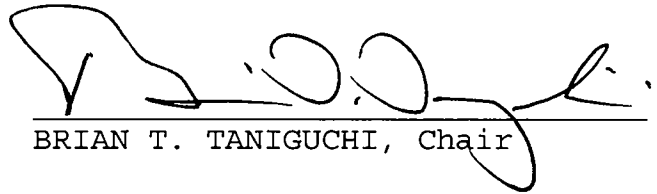
As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1698, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1698, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.



Respectfully submitted on
behalf of the members of the
Committees on Labor, Culture
and the Arts and Ways and
Means,



DONOVAN M. DELA CRUZ, Chair



BRIAN T. TANIGUCHI, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Labor, Culture and the Arts
LCA

Bill / Resolution No.:* <i>HB 1698 HD1</i>	Committee Referral: <i>LCA/WAM</i>	Date: <i>3/10/20</i>		
<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-end;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)				✓
CHANG, Stanley	✓			
GABBARD, Mike	✓			
FEVELLA, Kurt				✓
TOTAL	<i>3</i>			<i>2</i>
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: <i>[Signature]</i>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB 1698, HD1	Committee Referral: LCA / WAM	Date: 3/10/20		
<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 type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" 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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
HARIMOTO, Breene				X
INOUE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt				X
TOTAL	10			3
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="display: flex; justify-content: space-between; font-size: small;"> <div> Distribution: Original File with Committee Report </div> <div> Yellow Clerk's Office </div> <div> Pink Drafting Agency </div> <div> Goldenrod Committee File Copy </div> </div>				

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