

Honolulu, Hawaii

MAY 02 2023

RE: S.B. No. 1141
S.D. 2
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1141, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Transfer the rights, powers, functions, duties, and resources of the Department of Education relating to workers' compensation for the Hawaii State Public Library System and its employees to the Department of Human Resources Development (DHRD);
- (2) Establish an unspecified number of positions within the DHRD for the management and administration of workers' compensation for the Hawaii State Public Library System and its employees; and



- (3) Appropriate an unspecified amount of funds for the workers' compensation costs of the Hawaii State Public Library System and its employees.

Your Committee on Conference finds that the Legislature enacted Act 51, Session Laws of Hawaii 2004, which, in part, transferred certain functions of executive branch agencies that pertained to education personnel to the Department of Education (DOE). Your Committee on Conference further finds that the Legislature enacted Act 61, Session Laws of Hawaii 2012, to clarify that when it passed Act 51 (2004), it had not intended to include the personnel of the Hawaii State Public Library System (HSPLS). Your Committee on Conference recognizes that although DHRD has been managing and administering the workers' compensation claims of HSPLS employees since 2012 through memoranda of agreement and the use of a loaned position, DHRD has not received any additional staff or funding to address its increased administrative responsibilities to HSPLS and its employees. This measure transfers the appropriate resources necessary to officially designate DHRD as the administrator of workers' compensation claims for HSPLS. Your Committee on Conference notes that funds for the workers' compensation costs of the HSPLS and its employees have been appropriated to the DHRD through H.B. 300, H.D. 1, S.D. 1 (2023). Your Committee on Conference further notes that there are a number of permanent positions within HSPLS that are currently vacant.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Adding the requisite information for making an appropriation in excess of the general fund expenditure ceiling pursuant to article VII, section 9, of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes;
- (2) Deleting:
 - (A) The establishment of an unspecified number of positions within the DHRD for the management and administration of workers' compensation for the Hawaii State Public Library System and its employees; and



- (B) An appropriation of an unspecified amount of funds for the workers' compensation costs of the Hawaii State Public Library System and its employees;
- (3) Transferring one permanent position and the individual budget of the Hawaii State Public Library System relating to workers' compensation for its employees to the DHRD;
- (4) Inserting an appropriation amount of \$80,000 for fiscal year 2023-2024 for the salary and benefits of one full-time equivalent human specialist position to the DHRD;
- (5) Amending section 2 to reflect its amended purpose;
- (6) Making it effective on July 1, 2023; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1141, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1141, S.D. 2, H.D. 2, C.D. 1.



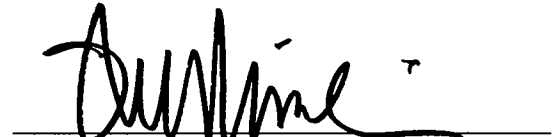
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



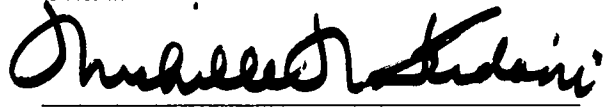
SCOT Z. MATSUYOSHI
Co-Chair



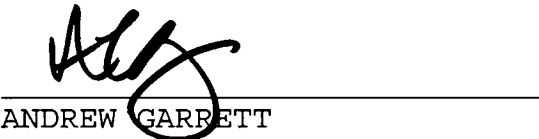
SHARON MORIWAKI
Chair



JUSTIN H. WOODSON
Co-Chair



MICHELLE N. KIDANI
Co-Chair



ANDREW GARRETT
Co-Chair



