



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 2255, RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL.

BEFORE THE:

HOUSE COMMITTEE ON LABOR

DATE: Thursday, February 5, 2026 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 309

TESTIFER(S): Anne E. Lopez, Attorney General, or
Matthew S. Dvonch, First Deputy Attorney General

Chair Sayama and Members of the Committee:

The Department of the Attorney General (Department) strongly supports this bill.

The purpose of this bill is to permanently exempt and clarify the exemption of specified positions of the Department and its administratively attached Hawaii Correctional System Oversight Commission (HCSOC) from civil service (chapter 76, Hawaii Revised Statutes (HRS)) and, for certain positions where the exclusion from collective bargaining under chapter 89, HRS, may be unclear, to expressly provide the exclusion.

The Department requires the services of highly skilled and experienced personnel—including forensic analysts, special agents, and litigation support staff—to handle complex and sensitive legal matters. The Charities Administrator, who oversees more than 9,000 registered charitable organizations in the State, also requires a high level of technical and managerial expertise. Exempting these positions from civil service will enable the Department to recruit and retain uniquely qualified candidates and employees.

Act 179, Session Laws of Hawaii 2019, established the Oversight Coordinator of the HCSOC as exempt from chapter 76, HRS, and authorized the coordinator to hire exempt staff. This bill, by amending section 76-16(b), HRS, makes those exemptions permanent and conforms to section 353L-4(3), HRS.

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The bill also amends section 89-6(f), HRS, to specifically exempt a litigation assistant and forensic analysts of the Complex Litigation Division from collective bargaining under chapter 89. This exemption will provide the Department with greater flexibility to recruit, retain, and manage highly skilled personnel, which is essential to carrying out sensitive and complex responsibilities.

Passage of this bill will allow the Department to fill critical positions with qualified personnel. We respectfully request the passage of this bill. Thank you for the opportunity to provide testimony.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

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The Thirty-Third Legislature, State of Hawaii
The House of Representatives
Committee on Labor

Testimony by
Hawaii Government Employees Association

February 5, 2026

H.B. 2255 — RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO opposes H.B. 2255, which permanently exempts specified positions of the Department of the Attorney General and its administratively attached Hawai'i Correctional System Oversight Commission from civil service (chapter 76, HRS) and, for certain positions where the exemption from collective bargaining under chapter 89, HRS, may be unclear, to expressly provide the exemption.

The HGEA raises concerns for the need to exempt these positions from civil service. Exempt employees do not have the same rights compared to civil service employees as they are considered "at-will" by the employer. Furthermore, exempt employees do not go through any merit-based hiring which opens the door for managers to hire unqualified individuals. We have consistently opposed the creation of more exempt positions in government and have advocated that exempt employees that are included within a collective bargaining unit receive just-cause protections, just like civil service employees. Over these past few years, we have seen an increase in the use of exempt positions, which in large part, is due to our lethargic civil service hiring process, our states refusal to increase civil service pay to a competitive rate, and frankly, some managers just looking to assert more control over their employees by making them 'at-will'

This proposal is part of a larger issue which is that the civil service system and DHRD must become more flexible, competitive, and adaptive to the current job market and public demands. There are methods the state can implement to streamline its hiring and recruiting while keeping employees within civil service. The state should look to adequately price these positions to appropriately reflect a competitive salary, comparable to similar positions within the public and private sector, and in general, the market rate. The state should also look to reform its civil service hiring process to create a more efficient and effective system, so prospective employees are not waiting to hear back from a job they applied to months ago. Given to what we are witnessing with the current federal administration, where they have been mass firings and controversial appointments to positions without regard to proper process, and seeing how that has embolden other employers to think the same, we find this proposal even more concerning.

Thank you for the opportunity to provide testimony in opposition to H.B. 2255.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Randy Perreira'. The signature is fluid and cursive, with 'Randy' on the left and 'Perreira' on the right.
Randy Perreira
Executive Director