

ACT 40

S.B. NO. 363

A Bill for an Act Relating to Experimental Modernization Projects for County Boards of Water Supply.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 78, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§78- County boards of water supply; experimental modernization projects. It is the intent of this section to encourage and facilitate improvements in the human resource programs of qualifying boards of water supply. With or without the approval from the chief executive, the director of any qualifying board of water supply may conduct experimental modernization projects to determine whether specific changes in its human resource program would result in a more desirable program for the jurisdiction.

Prior to the implementation of any experimental modernization project, the director of any qualifying board of water supply shall:

- (1) Develop a plan identifying:
 - (A) The purpose of the project;
 - (B) The methodology to be used;
 - (C) The duration of the project;
 - (D) The criteria for evaluation of the project; and
 - (E) The cost of the project, if any; and
- (2) Consult and negotiate with the exclusive representative if a modification or waiver of any provision in a collective bargaining agreement, including any new provision, is necessary to conduct the project.

The representative of the qualifying board of water supply and the exclusive representative shall mutually agree in writing to any modification, waiver, or new provision before the project is implemented.

While the board of water supply project is in progress, it shall not be limited by state or local personnel laws and rules, but shall be in compliance with all equal employment opportunity laws, laws prohibiting discrimination, and chapter 89.

For purposes of this section, “qualifying board of water supply” means any county board of water supply serving a population of 500,000 or more persons.”

SECTION 2. New statutory material is underscored.¹

SECTION 3. This Act shall take effect upon its approval.

(Approved April 30, 2003.)

Note

1. Edited pursuant to HRS §23G-16.5.