

September 16, 2016

MEMO TO: PIA-3(2) File

F R O M: Mike White  
Council Chair



SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO  
2017 HAWAII STATE ASSOCIATION OF COUNTIES (HSAC)  
LEGISLATIVE PACKAGE** (PIA-3(2))

The attached legislative proposal pertains to Item 3(2) on the Committee's agenda.

paf:kcw:16-165e

Attachment

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OFFICE OF THE  
COUNTY COUNCIL

# Resolution

No. \_\_\_\_\_

APPROVING FOR INCLUSION IN THE 2017 HAWAII STATE  
ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A  
STATE BILL TO ALLOW A REPRESENTATIVE OF EACH  
COUNTY COUNCIL TO PARTICIPATE AS A NON-VOTING  
MEMBER IN RELEVANT BARGAINING UNIT NEGOTIATIONS  
AND TO CHANGE THE ALLOCATION OF VOTES FOR  
BARGAINING UNITS 11 AND 12

WHEREAS, employment costs, largely determined through bargaining unit negotiations, are a significant and growing part of county budgets; and

WHEREAS, because the county councils have the duty to appropriate funds for the counties, councils' knowledge of bargaining unit negotiations and associated costs is essential for effective municipal financial planning; and

WHEREAS, currently, the mayors or their representatives are participants in bargaining unit negotiations; and

WHEREAS, adding councilmember participation in bargaining unit negotiations would ensure both branches of county government have full information on current and anticipated bargaining unit costs; and

WHEREAS, enactment of State legislation to allow each county council to have a representative participate as a non-voting member in bargaining unit negotiations would result in financial planning benefits to the counties; and

WHEREAS, State law provides the Governor with votes equal to the four Mayors for bargaining units 11 and 12;

WHEREAS, it is appropriate the Mayors receive a majority vote as the counties' administrative heads; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit "A," to allow a representative of each county council to be present as a non-voting participant in negotiations with relevant bargaining units and to give the Mayors a greater share of the votes for bargaining units 11 and 12, is approved for inclusion in the 2017 Hawaii State Association of Counties Legislative Package; and

**Resolution No. \_\_\_\_\_**

2. That a certified copy of this resolution be transmitted to the Hawaii State Association of Counties Executive Committee.

paf:kcw:16-165b

\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

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RELATING TO COLLECTIVE BARGAINING.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The purpose of this Act is to allow a  
2       representative of each county council to be present as a non-  
3       voting participant in negotiations with bargaining units if the  
4       relevant county has employees in the particular bargaining unit.

5       County councils have the duty to appropriate funds for  
6       their counties. Councils' knowledge of bargaining unit  
7       negotiations and associated costs is essential to enable  
8       effective financial planning for the counties.

9       SECTION 2. Section 89-6, Hawaii Revised Statutes, is  
10      amended by amending subsection (d) to read as follows:

11      "(d) For the purpose of negotiating a collective  
12      bargaining agreement, the public employer of an appropriate  
13      bargaining unit shall mean the governor together with the  
14      following employers:

15      (1) For bargaining units (1), (2), (3), (4), (9), (10),  
16      (13), and (14), the governor shall have six votes and  
17      the mayors, the chief justice, and the Hawaii health  
18      systems corporation board shall each have one vote if

**EXHIBIT "A"**

\_\_\_\_.B. NO. \_\_\_\_

1           they have employees in the particular bargaining unit;  
2           and a representative of each county council shall be  
3           allowed to attend as a non-voting participant during  
4           negotiations if their county has employees in the  
5           particular bargaining unit;

6           (2) For bargaining units (11) and (12), the governor shall  
7           have [~~four votes~~] one vote and the mayors shall each  
8           have one vote;

9           (3) For bargaining units (5) and (6), the governor shall  
10          have three votes, the board of education shall have  
11          two votes, and the superintendent of education shall  
12          have one vote; and

13          (4) For bargaining units (7) and (8), the governor shall  
14          have three votes, the board of regents of the  
15          University of Hawaii shall have two votes, and the  
16          president of the University of Hawaii shall have one  
17          vote.

18          Any decision to be reached by the applicable employer group  
19          shall be on the basis of simple majority, except when a  
20          bargaining unit includes county employees from more than one  
21          county. In that case, the simple majority shall include at  
22          least one county."

\_\_\_\_.B. NO. \_\_\_\_\_

1       SECTION 3. Statutory material to be deleted is bracketed  
2 and in strikethrough. New statutory material is underscored.

3       SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: \_\_\_\_\_

paf:kcw:16-165a