

The bill would also provide guidelines on the amount of alcohol that must be found in a defendant's blood for this information to become competent evidence of driving under the influence of alcohol in a criminal prosecution.

Your Committee received testimony in support of this bill from the Department of Transportation, and the Hawaii Transportation Association.

Upon further consideration, your Committee has amended the bill to:

- (1) Include category 4 drivers in section 286-102 within the program; and
- (2) Insure that a commercial driver's instruction permit is issued only to individuals who meet the qualification standards of the federal law.

Your Committee also made nonsubstantive amendments for purposes of clarity and style.

Your Committee on Judiciary is in accord with the intent and purpose of H.B. No. 1838, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1838, H.D. 2.

Signed by all members of the Committee.

SCRep. 822 Judiciary on H.B. No. 1362

The purpose of this bill, as received by your Committee, is to allow public employers to provide government records necessary for exclusive bargaining unit representatives to perform their functions.

The bill would create new procedural guidelines delineating what information an exclusive representative shall be entitled to obtain. Moreover, the bill would hold such an exclusive representative who receives government records to the same restriction on disclosure of such records as the originating agency.

Your Committee finds that the current law recognizes the right of the exclusive bargaining unit representatives to act for all employees in the respective unit and to be responsible for the representation of their interests.

To function adequately, exclusive representatives require certain information that are sometimes contained in government personnel and payroll records. This measure is intended to clarify the issue of disclosure and the nature of certain information to the exclusive representatives.

Your Committee has amended the bill by redrafting it in its entirety to better clarify the expressed intent of this measure. As amended, the bill would amend Section 92F-12(a)(14), Hawaii Revised Statutes, so that specific types of information shall be made available or be disclosed. Also, a new section to Chapter 92F will provide in detail what information a government agency must disclose to an exclusive representative. Also, this measure as amended, retains the earlier draft's provision regarding restrictions or disclosure of records by an exclusive representative.

Your Committee, in so amending this measure, notes that such amendments were made after due deliberation among various organizations representing the Office of Information Practice, the Hawaii Government Employees Association, and the Department of Personnel Services.

Your Committee on Judiciary is in accord with the intent and purpose of H.B. No. 1362, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1362, H.D. 2.

Signed by all members of the Committee.

SCRep. 823 Judiciary on H.B. No. 920 (Majority)

The purpose of this bill is to transfer the Office of the Sheriff and the Judiciary security personnel into the Department of Corrections, which is to be renamed as the Department of Public Safety.

Your Committee has amended this bill to consolidate all public safety functions and employees of state government, including the corrections functions, into a new Department of Public Safety to ensure better organization and coordination of public safety functions, allow for standardized training, and establish a "career ladder" for public safety employees.

As amended by your Committee, this bill provides for the establishment of the new Department of Public Safety upon the effective date of the Act. However, this bill provides that in the interim between the bill's approval and July 1, 1991, the Attorney General shall develop the appropriate transition plans, rework position descriptions, review personnel classifications, develop an organizational structure, submit a proposed budget, and attend to other administrative details to enable the new Department of Public Safety to become operational on July 1, 1991.

The consolidation of public safety functions and employees of state government, including the corrections functions, will take place in two phases. On July 1, 1991, the functions and authority exercised by the Department of Corrections relating to adult and juvenile corrections and the intake service centers; exercised by the Judiciary relating to the Office of the Sheriff and the Judiciary's security personnel; and exercised by the Department of the Attorney General relating to state law enforcement officers, and the Hawaii Paroling Authority and the Criminal Injuries Commission with the functions and authority, shall be transferred to the new Department of Public Safety.