

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2582  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Economic Revitalization & Business, to which was referred H.B. No. 2582, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO APPEALS TO THE APPELLATE BOARD,"

begs leave to report as follows:

The purpose of this measure is to improve the efficiency of the Labor and Industrial Relations Appeals Board of the Department of Labor and Industrial Relations by:

- (1) Allowing the board to establish reasonable fees not to exceed \$30 that can be adjusted by the Director pursuant to rules, for the filing of written appeals;
- (2) Providing for the fees to be waived in certain cases; and
- (3) Establishing the Labor and Industrial Relations Appeals Board Special Fund.

The Department of Labor and Industrial Relations Appeals Board, ILWU Local 142, Vocational Management Consultants, Inc., and an individual testified in support of this measure. An individual testified in opposition to this measure. An individual testified in support of this measure with amendments.

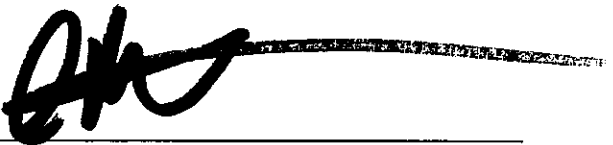


Your Committee has amended this measure by:

- (1) Mandating that the Appellate Board give notice of relevant agency hearings to the appealing party by first class mail, publication, or any other means provided by law;
- (2) Authorizing the Appellate Board to establish fees for administrative costs associated with the processing of workers' compensation appeals;
- (3) Clarifying language concerning the waiving of fees;
- (4) Exempting state agencies from filing and administrative fees; and
- (5) Changing the effective date to July 1, 2112, for the purposes of facilitating further discussion.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization & Business that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2582, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2582, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Economic  
Revitalization & Business,



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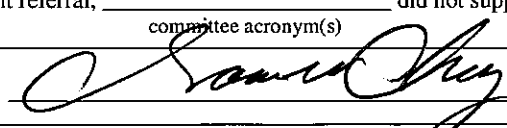
ANGUS L.K. MCKELVEY, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSCR571-12

Record of Votes of the Committee on Economic Revitalization & Business

Bill/Resolution No.: <b>HSCR</b> <b>HB 2582 HD1 143-12</b>		Committee Referral: <b>LAB, ERB, FIN</b>		Date: <b>2/14/12</b>
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
ERB Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	X			
2. CHOY, Isaac W. (VC)	X			
3. AWANA, Karen L.	X			
4. BROWER, Tom				✓
5. EVANS, Cindy	X			
6. HASHEM, Mark J.	X			
7. NISHIMOTO, Scott Y.	X			
8. TOKIOKA, James Kunane	X			
9. TSUJI, Clift	X			
10. MARUMOTO, Barbara C.				✓
11. PINE, Kymberly Marcos				✓
TOTAL (11)	8	-	-	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				