

STAND. COM. REP. NO.

494

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 877
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 877 entitled:

"A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH
HEARINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the
procedures for the Hawaii Labor Relations Board to conduct appeals
and authorize the Board to notify parties of a hearing using first
class mail.

Your Committee received testimony in support of this measure
from the Department of Labor and Industrial and Relations.

Your Committee finds that this measure sets forth the
procedures for the Hawaii Labor Relations Board to conduct
appeals. As this measure moves through the legislative process,
your Committee encourages the Department of Labor and Industrial
Relations to develop language to define "contemptuous behavior" as
used in to this measure.

Your Committee further finds that existing law requires the
Hawaii Labor Relations Board to use registered or certified mail
to provide notice to parties of a hearing. This measure would
permit the Board to more efficiently allocate resources.

Your Committee has amended this measure by:

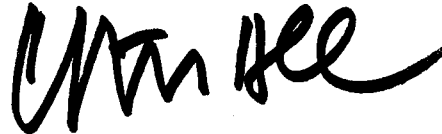
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- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 877, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 877, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

| | | | | |
|--|-----------------------------------|----------------------------|----------|----------|
| Bill / Resolution No.:* SB 877 | Committee Referral: JDL | Date: 02-01-2013 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| HEE, Clayton (C) | ✓ | | | |
| SHIMABUKURO, Maile S.L. (VC) | ✓ | | | |
| GABBARD, Mike | | | | ✓ |
| IHARA, Jr., Les | ✓ | | | |
| SLOM, Sam | | ✓ | | |
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| TOTAL | 3 | 1 | 0 | 1 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes