

SB 981, SD1

**RELATING TO THE HAWAII LABOR
RELATIONS BOARD.**

LAB, JUD, FIN

SB981 SD1



Submit Testimony

Measure Title: RELATING TO THE HAWAII LABOR RELATIONS BOARD.

Report Title: Hawaii Labor Relations Board; Occupational Safety and Health; Electronic Service of Hearing Notice; Transcripts

Description: Allows the Hawaii Labor Relations Board to send written notice of a hearing under the Hawaii occupational safety and health law electronically. Requires the party seeking judicial review to bear the cost of preparing a transcript, except as provided by law, in which case the Board shall bear the cost of preparing the transcript. (SD1)

Companion: [HB1115](#)

Package: Governor

Current Referral: LAB, JUD, FIN

Introducer(s): KOUCHI (Introduced by request of another party)

<u>Sort by Date</u>		Status Text
1/25/2017	S	Introduced.
1/25/2017	S	Passed First Reading.
1/25/2017	S	Referred to JDL.
1/27/2017	S	Re-Referred to JDL, WAM.
2/1/2017	S	The committee(s) on JDL has scheduled a public hearing on 02-07-17 9:00AM in conference room 016.
2/7/2017	S	The committee(s) on JDL recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in JDL were as follows: 4 Aye(s): Senator(s) Keith-Agaran, K. Rhoads, Kim, L. Thielen; Aye(s) with reservations: none ; 0 No(es): none; and 1 Excused: Senator(s) Gabbard.
2/13/2017	S	Reported from JDL (Stand. Com. Rep. No. 152) with recommendation of passage on Second Reading, as amended (SD 1) and referral to WAM.
2/13/2017	S	Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.

2/17/2017	S	The committee(s) on WAM has scheduled a public hearing on 02-22-17 9:30AM in conference room 211.
2/22/2017	S	The committee(s) on WAM recommend(s) that the measure be PASSED, UNAMENDED. The votes in WAM were as follows: 11 Aye(s): Senator(s) Tokuda, Dela Cruz, English, Galuteria, Harimoto, Inouye, K. Kahele, Riviere, Shimabukuro, Taniguchi, Wakai; Aye(s) with reservations: none ; 0 No(es): none; and 0 Excused: none.
3/2/2017	S	Reported from WAM (Stand. Com. Rep. No. 575) with recommendation of passage on Third Reading.
3/2/2017	S	One Day Notice 03-03-17.
3/3/2017	S	Report adopted; Passed Third Reading. Ayes, 24; Aye(s) with reservations: none . Noes, 0 (none). Excused, 1 (Senator(s) Gabbard). Transmitted to House.
3/3/2017	H	Received from Senate (Sen. Com. No. 65) in amended form (SD 1).
3/7/2017	H	Pass First Reading
3/7/2017	H	Referred to LAB, FIN, referral sheet 26
3/10/2017	H	Re-referred to LAB, JUD, FIN, referral sheet 28
3/13/2017	H	Bill scheduled to be heard by LAB on Thursday, 03-16-17 9:00AM in House conference room 309.

A BILL FOR AN ACT

RELATING TO THE HAWAII LABOR RELATIONS BOARD.

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

1 SECTION 1. Section 396-11.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) In any hearing conducted by the appeals board under
4 this chapter and pursuant to chapter 91, notwithstanding section
5 91-9.5, all parties shall be given written notice of hearing by
6 first class mail or by electronic service through a company
7 designated by the board at least fifteen days before the
8 hearing."

9 SECTION 2. Section 396-12, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "**§396-12 Judicial review.** Except where an order has
12 already become final for failure to contest, the decision and
13 order of the appeals board shall be final and conclusive unless
14 the director or any party to the proceedings before the appeals
15 board obtains a review thereof in the manner provided in chapter
16 91 by instituting proceedings in the circuit court of the
17 circuit in which the place of employment, machine, device,
18 apparatus, or equipment is situated or such practice, means,



1 method, operation, or process is employed. The hearing on
2 review shall be on the record and the department shall be deemed
3 a party to any such proceedings. The court shall give
4 precedence to such proceedings over all other civil cases.

5 The party seeking the review of a decision and order of the
6 appeals board shall bear the cost of preparing a transcript,
7 except as provided by law, in which case the appeals board shall
8 bear the cost of preparing the transcript."

9 SECTION 3. New statutory material is underscored.

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

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Report Title:

Hawaii Labor Relations Board; Occupational Safety and Health;
Electronic Service of Hearing Notice; Transcripts

Description:

Allows the Hawaii Labor Relations Board to send written notice of a hearing under the Hawaii occupational safety and health law electronically. Requires the party seeking judicial review to bear the cost of preparing a transcript, except as provided by law, in which case the Board shall bear the cost of preparing the transcript. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



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(VACANT)
CHAIR

SESNITA A.D. MOEPONO
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February 3, 2017

To: The Honorable Gilbert S.C. Keith-Agaran, Chair,
The Honorable Karl Rhoads, Vice Chair, and
Members of the Senate Committee on Judiciary and Labor

Date: Tuesday, February 7, 2017
Time: 9:00 a.m.
Place: Conference Room 309, State Capitol

From: Hawaii Labor Relations Board
Department of Labor and Industrial Relations (DLIR)

Re: S.B. No. 981 Relating to The Hawaii Labor Relations Board

I. OVERVIEW OF PROPOSED LEGISLATION

This proposal seeks to amend chapter 396, Hawaii Revised Statutes (HRS), by amending (A) section 396-11.5, HRS, by adding an additional means of serving chapter 91 notices of hearing by electronic service through a company designated by the HLRB; and (B) section 396-12, HRS, by adding new language to require that a party appealing a HLRB decision to bear the costs of transcripts, except as provided by law.

II. CURRENT LAW

Section 396-11.5, HRS, allows service of hearing notices by first class mail. There is no current law in chapter 396 related to requiring appealing parties to bear the the cost of preparing a transcript.

III. COMMENTS ON THE HOUSE BILL

HLRB supports SB981 and urges passage of the bill.

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Late Testimony