

Honolulu, Hawaii

FEB 17 2012

RE: S.B. No. 2671
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2671 entitled:

"A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify the authority of the Hawaii Labor Relations Board to hire attorneys and paralegals; and
- (2) Authorize any attorney employed by the Board as a part-time or contract staff member to represent the Board in litigation, draft legal documents for the Board, and provide other necessary legal services to the Board, as the Board's full-time attorney is already authorized to do.

Your Committee received testimony in support of this measure from the Hawaii Labor Relations Board; the University of Hawaii Professional Assembly; the United Public Workers, AFSCME Local 646, AFL-CIO; and the International Longshore and Warehouse Union Local 142. The Department of Labor and Industrial Relations submitted comments.

Your Committee finds that the Hawaii Labor Relations Board is limited under existing law to employing only one attorney as a staff member to represent the Board in litigation, draft legal documents, and provide other legal services to the Board. This

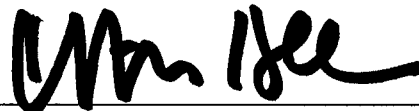


measure will authorize the Hawaii Labor Relations Board to hire additional attorneys and paralegals as staff members. The Board currently needs legal staff to draft administrative rules to implement recently enacted laws; update rules that have not been amended since 1981; draft decisions and orders to reduce case backlog; and provide legal assistance, as needed.

Your Committee has amended this measure by adopting the suggested technical, nonsubstantive amendment from the Hawaii Labor Relations Board to remove unnecessary language.

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. 2671, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2671, S.D. 1, and be referred to the Committee on Ways and Means.

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



CLAYTON HEE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 2671	Committee Referral: JDL, WAM	Date: 2/9/12		
<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 (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam	✓			
TOTAL	4			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