

Honolulu, Hawaii

MAR 02 2018RE: S.B. No. 2366
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2366, S.D. 1, 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 make the operations and proceedings of the Hawaii Labor Relations Board more efficient.

Specifically, the measure:

- (1) Authorizes the Hawaii Labor Relations Board to deliver its orders and decisions to parties electronically, and through a company designated by the board;
- (2) Extends, from forty days to ninety days, the time to hold a hearing on a complaint;
- (3) Establishes a collective bargaining dispute resolution special fund; and
- (4) Appropriates funds to the Hawaii Labor Relations Board for one full-time equivalent (1.0 FTE) attorney position, one full-time equivalent (1.0 FTE) chief clerk position, and travel and interpreter costs.



Your Committee received written comments in support of this measure from the Hawaii Labor Relations Board and one individual.

Your Committee received written comments on this measure from the Department of the Attorney General and the Department of Budget and Finance.

Your Committee finds that the electronic delivery of orders and decisions may reduce costs for the State. Your Committee also believes that extending the allowable period to hold hearings on complaints provides more time for any necessary discovery matters. Your Committee further finds that an additional attorney and chief clerk position for the Hawaii Labor Relations Board will enable the Board to render its decisions more efficiently.

Your Committee has amended this measure by:

- (1) Deleting an amendment to section 91-12, Hawaii Revised Statutes, to address concerns expressed by the Department of the Attorney General; and
- (2) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

Your Committee notes the concerns expressed by the Department of Budget and Finance that it is not clear whether the collective bargaining dispute resolution fund meets the statutory criteria to establish a special fund. Accordingly, your Committee respectfully requests that subsequent Committees to which this measure is referred consider this issue.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2366, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2366, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

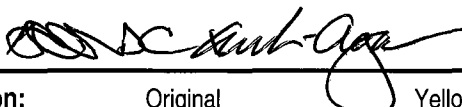


DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB2366, SD1	Committee Referral: LBR, WAM	Date: 2/23/18		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
GALUTERIA, Brickwood	X			
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i	X			
KIDANI, Michelle N.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.				X
WAKAI, Glenn	X			
TOTAL	10			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