STAND. COM. REP. NO. **316** -12

Honolulu, Hawaii

March 2 , 2012

RE: H.B. No. 2576 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 Finance, to which was referred H.B. No. 2576, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY LAW,"

begs leave to report as follows:

The purpose of this measure is to maintain uniformity in the unemployment insurance contribution rate notice appeals process by clarifying that an appeal by an employer of the Department of Labor and Industrial Relations' determination of an unemployment insurance rate contribution must be appealed to the Employment Security Appeals Referees' Office rather than directly to the circuit court.

The ILWU Local 142 and Hawaii Laborers' Union testified in support of this measure. The Department of Labor and Industrial Relations provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the statutorily established avenue for judicial review is still available upon the referees determination, rather than the Department's determination;
- (2) Changing its effective date to July 1, 2012; and

(3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2576, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2576, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Finance,

MARCUS R. OSHIRO, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

HSCR 814-12

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB 2576 HD1	Committee Referral: LAB ERB FIN	Date:	2/28	1/2
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)				
2. LEE, Marilyn B. (VC)				
3. CHOY, Isaac W.				
4. CULLEN, Ty				
5. GIUGNI, Heather	. / _			
6. HAR, Sharon E.				
7. HASHEM, Mark J.				
8. ICHIYAMA, Linda				
9. JORDAN, Jo				
10. KAWAKAMI, Derek S.K.				
11. LEE, Chris				
12. MORIKAWA, Dee				
13. TOKIOKA, James Kunane				
14. YAMASHITA, Kyle T.				
15. MARUMOTO, Barbara C.				
16. RIVIERE, Gil				
17. WARD, Gene				
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			<u>_</u> .	
TOTAL (17)	17	0	0	0
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: Marily 3. Lev				
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