STAND. COM. REP. NO. 2888

Honolulu, Hawaii

MAR 2 1 2012

RE: H.B. No. 2576 H.D. 2

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 H.B. No. 2576, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to maintain uniformity in existing rate determination procedures for processing appeals by requiring an employer to file a notice of appeal of an unemployment insurance rate contribution determination with the Employment Security Appeals Referees' Office rather than directly to the circuit court.

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

Your Committee finds that existing law requires employers to file an application for review and redetermination within fifteen days after the mailing of a contribution rate notice. If the Department of Labor and Industrial Relations grants a review, a hearing is held and the Department's redetermination is final unless proceedings are commenced in circuit court. However, existing law does not identify the Employment Security Appeals Referees' Office as the agency responsible for allowing or denying the review or conducting the hearing. This measure clarifies that an employer's contribution rate notices are required to be filed with the Employment Security Appeals Referees' Office, ensuring that responsibilities are clearly defined and delineated and

increasing the efficiency with which rate notice challenges are handled.

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 H.B. No. 2576, H.D. 2, and recommends that it pass Second Reading 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-Sixth Legislature State of Hawaiʻi

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee	Referral:	Da	te:	,
HB2576,HD2	10	n		3/12/	12
The committee is reconsidering its previous decision on this measure.					
If so, then the previous de	ecision was to	•			
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)					
GABBARD, Mike					
IHARA, Jr., Les					
SLOM, Sam		<u> </u>			
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TOTAL		4			1
Recommendation:  Adopted  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