STAND. COM. REP. NO. 2663

Honolulu, Hawaii

MAR 0 2 2018

RE: S.B. No. 2367 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 Judiciary, to which was referred S.B. No. 2367, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OCCUPATIONAL SAFETY AND HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Hawaii Labor Relations Board to deliver its decisions and orders by hand, United States Postal Service mail with delivery confirmation, or electronically.

Your Committee received testimony in support of this measure from the Hawaii Labor Relations Board. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that specifying the means by which the Hawaii Labor Relations Board may deliver decisions and orders and including the option of electronic distribution will promote office efficiency and reduce postage and labor costs for the State. Your Committee notes that the language specifying the means of delivery explicitly supersedes general provisions on decisions and orders by state agencies in the case of the Hawaii Labor Relations Board, so including a reference to the new language in the general provisions on decisions and orders by

state agencies in section 91-12, Hawaii Revised Statutes, is superfluous.

Accordingly, your Committee has amended this measure by:

- (1) Removing section 2, which added an exemption for decisions and orders governed by the new language pertaining to the Hawaii Labor Relations Board to the general provisions on decisions and orders by state agencies in section 91-12, Hawaii Revised Statutes;
- (2) Inserting an effective date of July 1, 2035, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2367, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2367, S.D. 2.

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

BRIAN T. TANIGUCHI, Chair

The Senate Twenty-Ninth Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

				Date:	
SB 2367, SOI 1	LBR,	JDC	2	./27/2	.018
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)		/			
RHOADS, Karl (VC)		/			
GABBARD, Mike		/			
KIM, Donna Mercado					
THIELEN, Laura H.		/			
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TOTAL		5	0	0	0
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