

STAND. COM. REP. NO.

2861

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 2991
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 2991, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Hawaii Labor Relations Board to adopt rules establishing criteria for the creation of new bargaining units;
- (2) Require any employee, employer, or exclusive representative proposing a new bargaining unit to submit an application to the Hawaii Labor Relations Board;
- (3) Require the Hawaii Labor Relations Board to consider certain criteria in determining the appropriateness of a new bargaining unit;
- (4) Require the Hawaii Labor Relations Board to, upon its approval of the application, submit a report to the Legislature, including proposed legislation for the Legislature to consider and enact to create the new bargaining unit, accompanied by a decision and order issued by the Board;



- (5) Set forth procedures that the Hawaii Labor Relations Board must follow when it denies an application; and
- (6) Appropriate funds.

Your Committees received no testimony on this measure.

Your Committees find that although there are a number of interested groups seeking to form bargaining units, existing law does not provide clear criteria or procedures to make those determinations. This measure will establish the authority for the Hawaii Labor Relations Board to develop the criteria for and to assess requests for determination of new bargaining units.

Your Committees have amended this measure by:

- (1) Inserting legislative findings;
- (2) Inserting language allowing any employee, employer, or executive representative to petition the Hawaii Labor Relations Board to determine the appropriateness of a new bargaining unit;
- (3) Deleting language that would have set forth procedures that the Hawaii Labor Relations Board must follow when it denies an application;
- (4) Clarifying that the blank appropriation in this measure is for the development of the criteria and procedures established by this measure and to establish one full-time equivalent (1.0 FTE) position within the Hawaii Labor Relations Board to implement the criteria and procedures established by this measure; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2991, S.D. 1, as amended herein, and recommend



that it pass Third Reading in the form attached hereto as S.B.
No. 2991, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,



DONOVAN M. DELA CRUZ, Chair

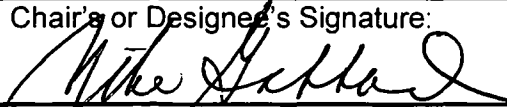


KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2991 SD1	Committee Referral: LBT, JDC WAM	Date: 02 22 24		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
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

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:
SB2091 SD1	LBT, JDC/WAM	2/22/2024

The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
HASHIMOTO, Troy N.	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	13	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

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