

HOUSE OF REPRESENTATIVES  
THE TWENTY-FOURTH LEGISLATURE  
REGULAR SESSION OF 2007

RECEIVED

2007 FEB -1 P 5: 55

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Rep. Alex M. Sonson, Chair  
Rep. Bob Nakasone, Vice Chair

SERGEANT-AT-ARMS  
HOUSE OF  
REPRESENTATIVES

Rep. Cindy Evans	Rep. Joseph M. Souki
Rep. Sharon E. Har	Rep. Dwight Y. Takamine
Rep. Marilyn B. Lee	Rep. Roy M. Takumi
Rep. Sylvia Luke	Rep. Colleen Rose Meyer
Rep. Angus L.K. McKelvey	Rep. Kymberly Marcos Pine
Rep. Scott Y. Nishimoto	

AMENDED NOTICE OF HEARING

DATE: Friday, February 2, 2007  
TIME: 9:00 a.m.  
PLACE: Conference Room 309  
State Capitol  
415 South Beretania Street

**A M E N D E D   A G E N D A**

**HB 1161& HB 964 are deleted from this agenda.**

HB 1161	<del>RELATING TO OFFENSE AGAINST THE PUBLIC ADMINISTRATION.</del> <del>Creates the offense of official misconduct, requiring any public servant to report the commission of a crime by another public servant.</del>	LAB, FIN
HB 1258	RELATING TO ACTIONS FOR FALSE CLAIMS TO THE STATE. Provides a cause of action for private persons who suffer retribution from employers for whistleblower activities related to the state false claims act.	LAB, JUD
HB 1082	RELATING TO BOARDS OF WATER SUPPLY. Repeals the provision encouraging experimental modernization projects by county boards of water supply.	LAB, FIN
HB 1916	RELATING TO THE HAWAII LABOR RELATIONS BOARD. Clarifies the procedure on how to elect members of the Hawaii labor relations board.	LAB, FIN
HB 989	RELATING TO LEAVE SHARING. Allows employees to donate sick leave credits in addition to vacation credits to assist employees who are on extended leave due to illness.	LAB, FIN
HB 1691	RELATING TO FAMILY LEAVE. Allows an employee to elect to use accrued paid leave, including vacation, personal, or family leave, for any part of the four-week period of family leave provided under the law.	LAB, FIN

HB 1745	<p>RELATING TO EMPLOYMENT.</p> <p>Establishes job security requirements to protect employees when the business for which the employees work is sold or transferred to another employing entity. Adds definition of "divestiture". Creates worker retention trust fund to receive moneys from penalties and to be used to compensate dislocated workers.</p>	LAB, EDB, FIN
HB 1503	<p>RELATING TO EMPLOYMENT.</p> <p>Amends definitions of "closing", "covered establishment", and "employer". Requires employer to notify employees of divestiture. Imposes penalties for failure to notify employees of business closing.</p>	LAB, JUD
HB 760	<p>RELATING TO A LIVING WAGE FOR WORKERS ON SERVICE CONTRACTS.</p> <p>Reduces the threshold for service contract worker wage provisions from \$25,000 to \$5,000; requires wages to be based on United States poverty guidelines for Hawaii; requires enforcement by the department of labor and industrial relations; extends additional rights to service contract employees.</p>	LAB, EDB, FIN
HB 859	<p>RELATING TO PUBLIC EMPLOYEES.</p> <p>Allows a public employer to negotiate procedures and criteria on promotions, transfers, assignments, demotions, layoffs, suspensions, terminations, discharges, or other disciplinary actions; requires negotiation over the impact of transfers, assignments, and layoffs of public employees.</p>	LAB, FIN
HB 1561	<p>RELATING TO LABOR.</p> <p>Establishes labor representation procedures in developments in which the State or counties have an ongoing proprietary interest.</p>	LAB, FIN
HB 763	<p>RELATING TO WORKERS' COMPENSATION LAW.</p> <p>Amends workers' compensation law, including limiting an employer's ability to terminate benefits, authorizing the recovery of attorney's fees and costs by the injured employee, specifying procedures for medical examinations by the employer's physician, establishing fines for violations, requiring the reporting of denials of claims and relevant information, and further restricting the director of labor and industrial relations' rulemaking authority.</p>	LAB, CPC, FIN
HB 964	<p><del>RELATING TO SUBSTANCE ABUSE.</del></p> <p><del>Requires that substance abuse testing be conducted according to the manufacturer's rather than the federal government's package insert.</del></p> <p><del>Amends definition of "substance abuse on-site screening test" to include tests used for forensic testing as a workplace testing device.</del></p>	LAB, JUD
HB 751	<p>RELATING TO EMPLOYMENT SECURITY.</p> <p>Clarifies the time period in which the department of labor and industrial relations may expend funds appropriated under Act 190, Session Laws of Hawaii 2006. Clarifies restrictions on the use of funds.</p>	LAB, FIN

DECISION MAKING ONLY ON THE FOLLOWING MEASURES

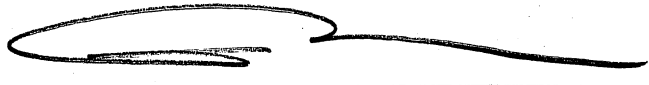
(Deferred from 1/30/07 hearing. No testimony will be accepted.)

HB 247	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Allows all employees' retirement system retirants to change their pension payment option if the retirant's beneficiary dies before the retirant.	LAB, FIN
HB 305	RELATING TO WORKERS' COMPENSATION. Authorizes recovery of attorney's fees and costs under workers' compensation law by any person who successfully defends any charge of workers' compensation insurance fraud, except criminal cases, against the person who initiates and prosecutes the action. Authorizes the insurance commissioner to investigate complaints and prosecute cases of workers' compensation fraud, provided that the complaint is against an insurance carrier, a self-insured employer, or a full-insured employer.	LAB, CPC/JUD
HB 388	RELATING TO EMPLOYEES. Requires successor employers to retain incumbent employees upon the divestiture, sale, or acquisition of a business. Enables certain successor companies that acquire a business to also acquire its predecessor's unemployment insurance contribution assessment rate through 12/31/07.	LAB, EDB, FIN
HB 519	RELATING TO THE STATE DEFERRED COMPENSATION PLAN. Expands the definition of employee under the state deferred compensation plan to include employees who are excluded from participation in the employees' retirement system.	LAB, FIN

IF YOU REQUIRE SPECIAL ASSISTANCE OR AUXILIARY AIDS AND/OR SERVICES TO PARTICIPATE IN THE PUBLIC HEARING PROCESS OF THE STATE HOUSE (I.E., SIGN LANGUAGE INTERPRETER, WHEELCHAIR ACCESSIBILITY, OR PARKING DESIGNATED FOR THE DISABLED), PLEASE CONTACT THE COMMITTEE CLERK AT LEAST 24 HOURS PRIOR TO THE HEARING SO ARRANGEMENTS CAN BE MADE. PROMPT REQUESTS SUBMITTED HELP TO ENSURE THE AVAILABILITY OF QUALIFIED INDIVIDUALS AND APPROPRIATE ACCOMMODATIONS.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-6520.

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Rep. Alex M. Sonson  
Chair