STAND. COM. REP. NO. 930

Honolulu, Hawaii

March 6, 2009

RE: H.B. No. 332

H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 332, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to allow victims of domestic and sexual violence to collect unemployment insurance benefits when the victim is separated from employment and is unable to accept otherwise suitable, available work due to domestic or sexual violence.

The Honolulu Department of the Prosecuting Attorney, the Sex Abuse Treatment Center, the Domestic Violence Action Center, the Hawaii State Coalition Against Domestic Violence, and a concerned individual supported this bill. The Department of Labor and Industrial Relations (DLIR) submitted comments.

Your Committee has amended this bill by:

- (1) Deleting the following as good cause for not accepting otherwise suitable, available work:
 - (a) Seeking or residing in an emergency shelter, or relocating; and

- (b) Reasonably believing employment options other than separation from employment would be insufficient to guarantee the safety of the individual or the individual's minor child;
- (2) Deleting the provision deeming an active search for employment takes place if no offered employment opportunity reasonably accommodates the individual's need to care for the effects of the domestic or sexual violence;
- (3) Requiring the certification requested by DLIR to explain how employment creates an unreasonable risk of further violence, rather than requiring an explanation that the loss of employment and continued employment is caused by the domestic or sexual violence;
- (4) Changing the effective date to July 1, 2020 to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.

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. 332, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 332, 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-fifth Legislature

Record of Votes of the Committee on Finance

HB 332, HDI LAB, HUS, FIN March 5, 2009				
☐ 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)	<i>V</i>			
2. LEE, Marilyn B. (VC)				
3. AQUINO, Henry J.C.				
4. AWANA, Karen Leinani				ベル
5. BROWER, Tom				
6. CHOY, Isaac W.	<u> </u>			
7. COFFMAN, Denny				
8. HAR, Sharon E. 9. KEITH-AGARAN, Gilbert S.C.	<u> </u>	Sectional Collection		n in the second
10. LEE, Chris	- <u>-</u>			
11. NISHIMOTO, Scott Y.				
12. SAGUM, Roland D., III	••			
13. TOKIOKA, James Kunane	-	Profitzajilia		
14. WOOLEY, Jessica	-			27.
15. YAMASHITA, Kyle T.				
16. PINE, Kymberly Marcos				
17. WARD, Gene	~		te al confidence and one of	
TOTAL (17)	16	0	0	
The recommendation is: Adopted				
If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: Maif 3. Lee				
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