

HOUSE OF REPRESENTATIVES  
THE TWENTY-EIGHTH LEGISLATURE  
REGULAR SESSION OF 2016

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Rep. Aaron Ling Johanson   Rep. Andria P.L. Tupola  
Rep. Matthew S. LoPresti

NOTICE OF HEARING

DATE:      Friday, February 05, 2016  
TIME:      9:30 a.m.  
PLACE:     Conference Room 309  
             State Capitol  
             415 South Beretania Street

A G E N D A

<u>HB 2369</u> <u>Status</u>	MAKING EMERGENCY APPROPRIATIONS FOR THE STATE TO COMPLY WITH THE AFFORDABLE CARE ACT. Makes an emergency appropriation for fiscal year 2015-2016 for the Department of Labor and Industrial Relations and the Department of Human Services to cover short-term costs required to comply with the Affordable Care Act.	LAB, HUS, FIN
<u>HB 1860</u> <u>Status</u>	RELATING TO COUNTIES. Allows county lifeguards to enforce state laws, rules, and regulations in the near shore zone.	LAB, WAL, JUD
<u>HB 2457</u> <u>Status</u>	RELATING TO PROCUREMENT. Establishes an earned credit certificate for contractors in public works projects who meet certain apprenticeship requirements. Clarifies information that a bidder must disclose in a competitive sealed bid for public works projects.	LAB, CPC, FIN
<u>HB 1909</u> <u>Status</u>	RELATING TO EQUAL PAY. Amends the provisions for equal pay and sex discrimination for substantially similar work. Clarifies the employer defenses. Prohibits employer actions regarding wage disclosure.	LAB, JUD
<u>HB 2477</u> <u>Status</u>	RELATING TO STATE EMPLOYEES. Requires that not more than five per cent of the employees of the executive branch be exempt from civil service. Requires DHRD to report on the number of executive branch employees that are exempt from civil service. Requires departments to reduce the number of civil service exempt employees if the percentage of civil service exempt employees exceeds the specified percentage. Excludes DOE, UH, HHSC, and charter school employees.	LAB, FIN



<u>HB 2209</u> <u>Status</u>	RELATING TO EMPLOYMENT. Specifies that employers may take adverse employment action for reasons other than those currently protected under Hawaii's anti-discrimination law.	LAB, JUD
<u>HB 1849</u> <u>Status</u>	RELATING TO HIRING. Creates a pilot program to streamline the recruitment and hiring process for vacancies within state departments. Makes an appropriation.	LAB, FIN
<u>HB 2013</u> <u>Status</u>	MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS. Provides fund authorizations and appropriations for collective bargaining cost items for bargaining unit (8) and their excluded counterparts for fiscal biennium 2015-2017.	LAB, FIN
<u>HB 2307</u> <u>Status</u>	MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS. To provide fund authorizations and appropriations for collective bargaining cost items for Unit (14) and their excluded counterparts, including the cost of salary adjustments negotiated between the State and the bargaining unit representative for fiscal biennium 2015-2017.	LAB, FIN
<u>HB 2473</u> <u>Status</u>	RELATING TO ENFORCEMENT OF WAGE LAWS. Changes the penalties for government contractors who violate wages and hours laws. Makes penalties \$1,000 for the first offense and ten per cent of the contract amount for the second offense.	LAB, JUD, FIN
<u>HB 2368</u> <u>Status</u>	RELATING TO RECORDKEEPING. Requires employers to keep a record of the physical addresses of the employer and the North American Industry Classification System code applicable to the employer; deletes anachronistic provision pertaining to insurance plan information. Takes effect on July 1, 2016.	LAB, CPC, FIN
<u>HB 2017</u> <u>Status</u>	RELATING TO WORKERS' COMPENSATION TREATMENT PLANS. Allows physicians to submit workers' compensation treatment plans to employers by facsimile, the Internet, or secure electronic mail. Requires employers to accept electronically submitted treatment plans and provide an electronic receipt of the submission.	LAB, CPC
<u>HB 2362</u> <u>Status</u>	RELATING TO THE HAWAII WORKFORCE DEVELOPMENT COUNCIL. Conforms the State Workforce Development Council Law to new federal requirements in the Workforce Innovation and Opportunity Act of 2014 (WIOA), Public Law 113-128, which supersedes the Workforce Investment Act of 1998 (WIA).	LAB, JUD
<u>HB 2312</u> <u>Status</u>	RELATING TO PAYMENTS BY EMPLOYERS TO THE EMPLOYEES' RETIREMENT SYSTEM. Confirms that employer contributions to the Employees' Retirement System may be made in advance or on a monthly basis.	LAB, FIN



<u>HB 2124</u> <u>Status</u>	RELATING TO INVESTMENT PERSONNEL OF THE EMPLOYEES' RETIREMENT SYSTEM. Authorizes the board of trustees of the employees' retirement system to appoint investment professionals and support staff. Exempts appointed investment officers and investment professionals, including investment specialists, from chapters 76 and 89, HRS. Provides the board with discretion to exempt any appointed investment support staff from chapters 76 and 89, HRS. Authorizes incumbent investment specialists, as of the effective date of this Act, the option to remain subject to chapter 76, HRS, so long as the person remains an investment specialist.	LAB, FIN
<u>HB 2309</u> <u>Status</u>	RELATING TO INVESTMENTS OF THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND. Repeals certain restrictions on investments that can be made by the Hawaii Employer-Union Health Benefits Trust Fund and make housekeeping amendments.	LAB, FIN
<u>HB 2313</u> <u>Status</u>	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Preserves the Employees' Retirement System's use and control of unclaimed member contributions and benefit payments.	LAB, FIN
<u>HB 2314</u> <u>Status</u>	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Authorizes forfeiture of certain Employees' Retirement System benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony.	LAB, JUD, FIN
<u>HB 2468</u> <u>Status</u>	RELATING TO HAWAII DOMESTIC RELATIONS ORDERS. Authorizes and requires the Employees' Retirement System to make direct payment to a spouse or former spouse of a system member or retirant of all or a portion of the member's or retirant's benefits pursuant to a Hawaii domestic relations orders. Appropriates funds.	LAB, JUD, FIN
<u>HB 2286</u> <u>Status</u>	RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT EMPLOYEES. Adds a new section to chapter 662, Hawaii Revised Statutes, providing professionally licensed or certified government employees with the same privileges and immunities as other state employees.	LAB, JUD

DECISION MAKING

The following measure was heard on **February 2, 2016**. **No public testimony on this bill will be accepted.**



HB 2208  
Status

RELATING TO LABOR.

LAB, JUD, FIN

Requires DLIR to provide written determination letters to individuals and employers that have been the subjects of an unemployment insurance investigate describing why the individual is deemed to be an employee or independent contractor. Authorizes individuals and employers to request an advisory opinion from DLIR explaining whether an individual could be deemed an employee or independent contractor. Requires DLIR to place redacted advisory opinions on its website. Requires DLIR to respond to an employer's appeal of a determination of employment status within 30 days or the appeal will be dismissed in favor of the employer.

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Testimony should indicate:

- Testifier's name with position/title and organization;
- The Committee(s) to which the comments are directed;
- The date and time of the hearing; and
- Measure number.

While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 20 copies (including an original) to Room 310 in the State Capitol;

FAX: For testimony less than 5 pages in length, transmit to 808-586-8544 (Oahu) or 1-800-535-3859 (for Neighbor Islander without a computer to submit testimony through e-mail or the Web); or

WEB: For testimony less than 10MB in size, transmit from <http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the legislative website. This public posting of testimony on the website should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6680 or email your request for an interpreter to [HouseInterpreter@Capitol.hawaii.gov](mailto:HouseInterpreter@Capitol.hawaii.gov) at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" website at [www.capitoltv.org](http://www.capitoltv.org) or call 536-2100.



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Rep. Mark M. Nakashima  
Chair

