

Honolulu, Hawaii

APR 27 2018

RE: S.B. No. 2990
S.D. 2
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2990, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY LEAVE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to establish paid family leave for all employees in the State and lay the groundwork to implement a framework of laws and policies so that all employees can access leave benefits during times when they need to provide care for a family member.

Among other things, this measure:

- (1) Establishes a temporary paid family leave implementation board (Board) within the Department of Human Services (DHS) to assist in establishing paid family leave for all



workers in the State and to report on implementation to the Legislature;

- (2) Establishes the paid family leave special fund to support expenditures for staff and other administrative and operational costs of establishing paid family leave;
- (3) Establishes the paid family leave supplementation special fund to provide small business assistance grants to employers with fifty or fewer employees to offset wage costs;
- (4) Specifies that by January 1, 2020, DHS shall adopt interim rules, exempt from Chapter 91, Hawaii Revised Statutes, that establish and codify paid family leave for all workers in the State;
- (5) Specifies that DHS's interim rules shall remain in effect until January 1, 2022, or until rules are adopted, pursuant to chapter 91, Hawaii Revised Statutes, whichever occurs sooner;
- (6) Specifies that collection of payments under the paid family leave program shall begin by July 1, 2021, and the processing of payments shall begin by July 1, 2022;
- (7) Requires the Legislative Reference Bureau (LRB) to conduct an analysis of specified items to be included in the Board's report to the Legislature; and
- (8) Appropriates funds for LRB to conduct its analysis and to DHS to fund a full-time program manager to support the Board, the expenses of the Board, and the expenses of DHS in establishing paid family leave.

Your Committee on Conference finds that Hawaii's working families are especially vulnerable, and that the majority of Hawaii's workforce cannot afford to take unpaid leave to provide care for a newborn, bond with a new child, care for a family member with a serious health condition, or be a caregiver to an aging parent. Yet, for 240,000 employees who serve as primary caregivers to a family member, this is the dilemma they face. Your Committee on Conference further finds that seven in ten children live in a household where both parents work, and over a quarter of children live in households with single parents; therefore, a lack of meaningful paid family leave policies puts them most at risk. Your



Committee on Conference also finds that the Legislature must ensure that it has the best information available prior to determining the most appropriate framework or model for the establishment of paid family leave for the State and relative potential impacts and safeguard measures.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Deleting language that would have established a paid family leave special fund and paid family leave supplementation special fund;
- (2) Deleting language that would have required DHS to adopt rules to establish and codify paid family leave for all workers in the State by January 1, 2020;
- (3) Deleting language that would have established the Board;
- (4) Requiring the LRB to conduct a sunrise analysis and submit a report to the Legislature of the impacts and potential frameworks or models for paid family leave in the State by September 1, 2019;
- (5) Specifying the scope of the sunrise analysis;
- (6) Authorizing the LRB to request and obtain any data from relevant state departments and agencies necessary to conduct the sunrise analysis;
- (7) Updating the purpose section;
- (8) Inserting an appropriation amount of \$350,000 for LRB to conduct the sunrise analysis;
- (9) Specifying that the LRB may contract the services of a consultant to assist in conducting the sunrise analysis;
- (10) Changing the effective date to July 1, 2018; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of



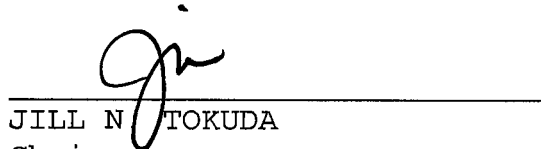
S.B. No. 2990, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2990, S.D. 2, H.D. 2, C.D. 1.

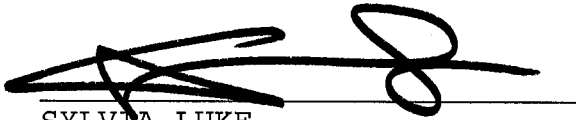
Respectfully submitted on behalf of the managers:


ON THE PART OF THE HOUSE


ON THE PART OF THE SENATE


AARON LINE JOHANSON
Co-Chair


JILL N. TOKUDA
Chair


SYLVIA LUKE
Co-Chair


GILBERT S.C. KEITH-ARGAN
Co-Chair


J. KALANI ENGLISH
Co-Chair



Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 2990, SD 2, HD 2	Date/Time: 4/27/18 @ 10:55 am
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
TOKUDA, Jill N., Chr.	/				JOHANSON, Aaron Ling, Co-Chr.	/			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	/				LUKE, Sylvia, Co-Chr.	/			
ENGLISH, J. Kalani, Co-Chr.	/				TUPOLA, Andria P.L.				/
TOTAL	3				TOTAL	13			1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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