

STAND. COM. REP. NO.

3636

Honolulu, Hawaii

MAY 21 2020

RE: H.B. No. 1959
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Labor, Culture and the Arts and Education,
to which was referred H.B. No. 1959, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF A MINOR,"

beg leave to report as follows:

The purpose and intent of this measure is to require a studio teacher to accompany, supervise, and advocate on behalf of a minor whenever a minor, who is employed for theatrical purposes, is on set and a variance from the work hour restrictions on allowable theatrical employment has been granted by the director of labor and industrial relations.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations; International Alliance of Theatrical State Employees Mixed Local 665, AFL-CIO; Hawaii State Teachers Association; and eight individuals. Your Committees received comments on this measure from the Screen Actors Guild - American Federation of Television and Radio Artists.

Your Committees find that existing law does not require a studio teacher to be present on set when minors are engaged in theatrical employment. Theatrical employment in Hawaii is predominately in television or motion picture production with durations that range from a few hours to several months. Your



Committees also note that a production company with a union agreement, i.e., the Screen Actors Guild, is required to have studio teachers present only after the third consecutive day of work.

Your Committees have heard the concerns of the International Alliance of Theatrical State Employees Mixed Local 665, AFL-CIO and the Hawaii State Teachers Association that this measure, as drafted, does not address the requirement for a studio teacher when a minor is under fourteen years of age. Amendments to this measure are therefore necessary to address this concern.

Accordingly, your Committees have amended this measure by deleting its contents and inserting the following provisions:

- (1) Defining a theatrical employment minor as under the age of eighteen years;
- (2) Requiring attendance of a basic life support certified nurse for a minor under one year old;
- (3) Defining "studio teacher" as a teacher chosen by the employer and having a valid license to teach;
- (4) Establishing a one to ten teacher/student ratio on set;
- (5) Requiring the studio teacher and nurse not be the minor's parent or guardian;
- (6) Requiring a parent or responsible adult designated by the parent accompany minors between one and five years old while on set; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that the effective date is January 1, 2050, to encourage further discussion by your Committee on Judiciary.

As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Education that are attached to this report, your Committees are in accord with the



intent and purpose of H.B. No. 1959, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1959, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Labor, Culture and the Arts and Education,



MICHELLE N. KIDANI, Chair


BRIAN T. TANIGUCHI, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

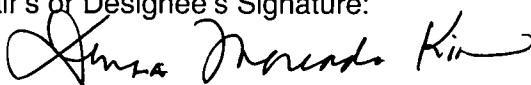
Record of Votes
Committee on Labor, Culture and the Arts
LCA

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1959 HD1	LCA/EDU, JDC	3/13/20		
<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
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)				✓
CHANG, Stanley	✓			
GABBARD, Mike				✓
FEVELLA, Kurt	✓			
TOTAL	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1959 HD1	LCA/EDU, JDC	03/13/2020		
<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
KIDANI, Michelle N. (C)	/			
KIM, Donna Mercado (VC)	/			
DELA CRUZ, Donovan M.				/
KANUHA, Dru Mamo				/
FEVELLA, Kurt	/			
TOTAL	3			2
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				

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