

STAND. COM. REP. NO. 494 -08

Honolulu, Hawaii

Feb 15, 2008

RE: H.B. No. 2911

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2911 entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYEES,"

begs leave to report as follows:

The purpose of this bill is to protect the rights of innovative employees by invalidating any provision in an employment agreement that requires employees to assign their rights to an invention to the employer when the employees develop the invention entirely on their own time and with their own materials.

An individual testified in support of this bill.

It is generally understood that employees who develop and patent an invention that was conceived and perfected during their hours of employment or with the use of an employer's materials must give the employer a license to use their invention. However, some employers require employees to sign over their rights to any invention created during their period of employment with that particular employer, regardless of when the invention was created. Your Committee finds that inventions created entirely outside of the scope of an employee's employment should not fall under this category.

HB2911 HSCR LAB HMS 2008-1808



As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2911 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



ALEX M. SONSON, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

494.08

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 2911	Committee Referral: LAB, JUD	Date: 02/05/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. SONSON, Alex M. (C)	x			
2. NAKASONE, Bob (VC)				x
3. EVANS, Cindy	x			
4. HAR, Sharon E.	x			
5. LEE, Marilyn B.	x			
6. LUKE, Sylvia	x			
7. McKELVEY, Angus L.K.	x			
8. NISHIMOTO, Scott Y.	x			
9. SOUKI, Joseph M.	x			
10. TAKAMINE, Dwight Y.	x			
11. TAKUMI, Roy M.	x			
12. MEYER, Colleen Rose	x			
13. PINE, Kymberly Marcos	x			
TOTAL (13)	12	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				