

STAND. COM. REP. NO. 1160

Honolulu, Hawaii

March 2, 2007

RE: H.B. No. 758
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 758, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYEES,"

begs leave to report as follows:

The purpose of this bill is to protect employees by:

- (1) Broadening the definition of "employee" under Hawaii's Wage and Hour Law by repealing the existing exclusion of persons whose wages or hours are governed by the Federal Fair Labor Standards Act; and
- (2) Requiring employers who employ 50 or more employees to allow rest or meal periods for employees who work more than five consecutive hours, unless otherwise provided for in a collective bargaining agreement.

ILWU Local 142, Hawaii State AFL-CIO, Hawaii State Teachers Association, and UNITE HERE! Local 5 supported this bill. The Department of Labor and Industrial Relations, National Federation of Independent Businesses, The Hawaii Business League, Retail Merchants of Hawaii, Society for Human Resource Management - Hawaii Chapter, Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., and Maui Electric Company, Limited, opposed this bill. Covanta Energy Corporation submitted comments.

HB758 HD2 HSCR FIN HMS 2007-2656

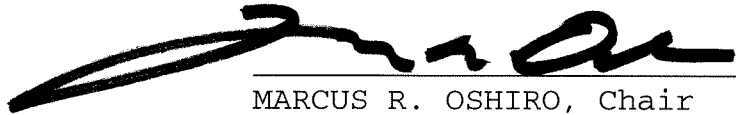


Your Committee has amended this measure by:

- (1) Excluding the operator of a continuously operating facility that is regulated by an environmental permit from the rest or meal period requirement; provided that an on-duty meal period is provided; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 758, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 758, 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-fourth Legislature

HS CR 1160

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB 758 HD1		Date: 2/26/07		
Committee Referral: LAB, FIN		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	✓			
2. LEE, Marilyn B. (VC)	✓			
3. BELATTI, Della Au	✓			
4. BROWER, Tom	✓			
5. CARROLL, Mele	✓			
6. CHONG, Pono	✓			
7. HANOHANO, Faye P.	•			✓
8. HAR, Sharon E.	•	✓		
9. MAGAOAY, Michael Y.	✓			
10. MANAHAN, Joey	✓			
11. MIZUNO, John	✓			
12. NAKASONE, Bob	✓			
13. RHOADS, Karl	✓			
14. SAGUM, Roland D., III	✓			
15. TOKIOKA, James Kunane	✓			
16. AWANA, Karen Leinani	•	✓		
17. MEYER, Colleen Rose	•			✓
18. WARD, Gene, Ph.D.	•			✓
TOTAL	13	2	0	3
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: <i>Marilyn B Lee</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				