

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
HB 6	Paid Sick and Safe Leave	Requires employers to provide a minimum amount of paid sick and safe leave to employees to be used to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking.	2/5/13 HB6: The committee(s) on LAB recommend(s) that the measure be deferred.	TAKAYAMA, AQUINO, BELATTI, CULLEN, HANOHANO, ITO, KAWAKAMI, KOBAYASHI, MIZUNO, OHNO, SAY, TAKUMI, TSUJI, Ichiyama	LAB, JUD, FIN
HB 53	Minimum Wage; Employment	Increases minimum wage to \$8.25 starting 7/1/13 and \$8.75 starting 7/1/14 and ending 6/30/15. Adjusts the minimum hourly wage thereafter in accord with the consumer priced index. Effective 7/1/13.	1/18/13 HB53: Referred to LAB, FIN, referral sheet 1	TAKUMI, C. LEE, Nakashima	LAB, FIN
HB 54	Employment Discrimination; Unemployed Status of Job Applicant	Prohibits any employer or employment agency from publishing a job advertisement that states or suggests that an applicant for the job must be currently employed.	1/18/13 HB54: Referred to LAB, JUD, referral sheet 1	TAKUMI	LAB, JUD
HB 58	Employment Security; Unemployment; Work-sharing Benefits	Authorizes certain private employers to administer a work-sharing plan to avoid temporary layoffs, if approved by the DLIR. Allows employees under a work-sharing plan to receive unemployment benefits to compensate for lost wages.	2/5/13 HB58: The committee(s) on LAB recommend(s) that the measure be deferred.	TAKUMI	LAB, FIN
HB 59	Wages; Payment of Compensation; Penalties	Requires employers to provide employees with specific wage and employer information at the time of hiring and in employees' pay records. Increases civil and criminal penalties for employers' noncompliance with wage rate notice requirements. Require public notice of employer violations.	2/1/13 HB59: The committee(s) on LAB recommend(s) that the measure be deferred.	TAKUMI	LAB, JUD, FIN
HB 61	Pharmacists; Pharmacy; License; Out-Of-State; Mail Order; Permit	Requires an out-of-state pharmacy delivering drugs into the State to have in its employ a pharmacist licensed under chapter 461, HRS.	1/18/13 HB61: Referred to HLT, CPC, referral sheet 1	EVANS, MORIKAWA, Ing, McKelvey, Mizuno	HLT, CPC

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
HB 144	Professional Employer Organizations; Registration; Fees	Repeals chapter 373L; adds definitions and registration and fee requirements to professional employer organization (PEO) law; requires notice to DOTAX of PEO violations for general excise tax exemption purposes; allows PEOs to be successor employers to client companies; establishes a sliding scale bond requirement for PEOs based upon annual payrolls. Effective July 1, 2012. (HB144 HD2)	2/22/13 HB144: Bill scheduled to be heard by FIN on Monday, 02-25-13 11:00AM in House conference room 308.	SOUKI, MCKELVEY, NAKASHIMA	LAB, CPC, FIN
HB 169	Family Leave; Military Deployment	Amends the state family leave law to allow an employee with a family member in the United States armed forces who is on active duty or notified of a call to active duty, to use state family leave for certain activities for which an employee may take military family leave under federal law. Requires certain documentation to certify the validity of the family leave request. Effective July 1, 2013. (HB169 HD1)	2/5/13 HB169: Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and Carroll, Har, Oshiro, Takumi excused (4).	TAKAI, AQUINO, ITO, JOHANSON, MCKELVEY, OHNO, THIELEN, TSUJI	VMI, FIN
HB 189	Boards and Commissions Membership; Gender Equity	Requires that the governor or appointing authority strive for gender equity when appointing members of state boards and commissions, and give priority to achieving the goal of gender equity when appointing members to vacancies, at-large positions, and alternates.	2/15/13 HB189: Passed First Reading.	EVANS, CARROLL, HANOHANO, ICHIJAMA, KOBAYASHI, C. LEE, LOWEN, MCKELVEY, MIZUNO, MORIKAWA, OHNO, TAKUMI, TSUJI, WOOLEY, Cabanilla, Ing	JUD
HB 305	Family Leave; Long-Term Care Services	Amends chapter 398, Hawaii Revised Statutes, to provide additional support to women and family caregivers by expanding the law to apply to the provision of long-term care services to family members with a physical, sensory, cognitive or self-care disability.	1/22/13 HB305: Referred to LAB, HLT, referral sheet 3	JOHANSON, CHEAPE, FALE, FUKUMOTO, MCDERMOTT, THIELEN, WARD	LAB, HLT
HB 333	General Excise Tax	Repeals the general excise tax exemption on income derived by fraternal benefit, religious, charitable, scientific, and educational nonprofit organizations from fees for convention, conference, or trade show exhibits or display spaces. Specifies that representatives authorized or employed by an unlicensed seller through the use of exhibit or display space at a conference, convention, or trade show is subject to the general excise tax.	1/22/13 HB333: Referred to FIN, referral sheet 3	BROWER, ICHIJAMA, TAKAI, Cachola, Nakashima, Onishi, Souki	FIN
HB 333	General Excise Tax	Repeals the general excise tax exemption on income derived by fraternal benefit, religious, charitable, scientific, and educational nonprofit organizations from fees for convention, conference, or trade show exhibits or display spaces. Specifies that representatives authorized or employed by an unlicensed seller through the use of exhibit or display space at a conference, convention, or trade show is subject to the general excise tax.	1/22/13 HB333: Referred to FIN, referral sheet 3	BROWER, ICHIJAMA, TAKAI, Cachola, Nakashima, Onishi, Souki	FIN

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
HB 406	Paid Sick and Safe Leave	Requires employers to provide a minimum amount of paid sick and safe leave to employees to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking. Effective 7/1/13.	2/5/13 HB406: The committee(s) on LAB recommend(s) that the measure be deferred.	BELATTI, HANOHANO, Carroll, Ichiyama, Lowen	LAB, JUD, FIN
HB 409	Breastfeeding; Workplace Accommodation	Requires certain employers to provide reasonable time and a clean location for breastfeeding employees to express breast milk in privacy. Requires covered employers to post a notice. Establishes a civil fine.	1/22/13 HB409: Referred to LAB, JUD, FIN, referral sheet 3	BELATTI, CARROLL, JORDAN, MORIKAWA, THIELEN	LAB, JUD, FIN
HB 436	Workers' Compensation; Impartial Physician; Examination	Requires that a workers' compensation impartial examination be conducted by a doctor whose specialty is appropriate for the injury to be examined. Effective January 1, 2113. (HB436 HD1)	2/19/13 HB436: Passed First Reading.	NAKASHIMA, AWANA, BELATTI, EVANS, HANOHANO, LUKE, MIZUNO, NISHIMOTO, ONISHI, SAIKI, WOODSON	LAB, FIN
HB 437	Workers' Compensation; Medical Examinations(\$)	Requires, among other things, independent medical examinations and permanent impairment rating examinations for workers' compensation claims to be performed by physicians mutually agreed upon by employers and employees or appointed by the Director of the Department of Labor and Industrial Relations. Allows for the use of an out-of-state physician under certain conditions. Appropriates unspecified funds. Effective January 1, 2113. Repealed on June 30, 2018. (HB437 HD1)	2/22/13 HB437: Bill scheduled to be heard by FIN on Monday, 02-25-13 11:00AM in House conference room 308.	NAKASHIMA, ING, Hashem, Ichiyama, Luke, Nishimoto	LAB, FIN
HB 456	Family Leave; Siblings	Permits an employee to use family leave time to care for a sibling. Defines "sibling". Effective July 1, 2013.	1/29/13 HB456: The committee(s) on LAB recommend(s) that the measure be deferred.	TAKAI, BROWER, ITO, JOHANSON, C. LEE, WOODSON, YAMANE, Cachola, Nakashima	LAB, JUD, FIN
HB 512	Minimum Wage; Consumer Price Index	Increases minimum hourly wage rate to \$7.75 per hour beginning July 1, 2013, and recalculates minimum hourly wage rate in accordance with consumer price index, effective each January 1 thereafter. Effective July 1, 2013.	1/22/13 HB512: Referred to LAB, FIN, referral sheet 3	JORDAN, BELATTI, HANOHANO, ING, C. LEE, OSHIRO, Ichiyama	LAB, FIN
HB 616	Family Leave; Siblings; Grandchild	Adds definition of "sibling" to the Family Leave Law. Permits an employee to use family leave to care for a sibling, grandchild, or a civil union partner.	1/22/13 HB616: Referred to LAB, JUD, FIN, referral sheet 3	TAKAYAMA, CULLEN, HASHEM, ICHIYAMA, ITO, TSUJI, YAMANE	LAB, JUD, FIN

SHRM HAWAII
 BILL TRACKING REPORT
 February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
HB 634	Employment; Worker Retention	Establishes job security requirements upon the divestiture of a covered establishment if the covered establishment employs 100 or more persons.	2/22/13 HB634: Bill scheduled to be heard by FIN on Monday, 02-25-13 11:00AM in House conference room 308.	YAMASHITA, CHOY, COFFMAN, CULLEN, HAR, ICHIYAMA, ITO, JORDAN, KAWAKAMI, OSHIRO, SAY, TAKAYAMA, TOKIOKA, TSUJI, YAMANE	LAB, FIN
HB 713	Personal Account; Privacy; Employment	Prohibits employers from requiring employees and applicants for employment from disclosing personal account usernames or passwords. Creates an exception for law enforcement agencies conducting background checks of applicants for employment. (HB713 HD1)	2/21/13 HB713: The committees on JUD recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 9 Ayes: Representative(s) Rhoads, Belatti, Brower, McDermott, Thielen; Ayes with reservations: Representative(s) Har, Ito, Kawakami, Tsuji; Noes: none; and 4 Excused: Representative(s) Cabanilla, Carroll, C. Lee, Wooley.	ING	LAB, JUD
HB 745	Labor; Employment; Family School Leave; Education	Authorizes family school leave for employees of employers who employ an unspecified number of employees, provided certain requirements are met, so that employees may participate in their children's school activities. Prohibits employers from discharging or otherwise discriminating against an employee for taking family school leave. Allows for a civil penalty in an amount equal to three times the amount of the employee's lost wages and benefits in certain circumstances.	2/4/13 HB745: Re-referred to LAB/EDN, FIN, referral sheet 13	OHNO, HANOHANO, ICHIYAMA, MIZUNO, MORIKAWA, RHOADS, TAKUMI, WOODSON, Awana, Belatti, Brower, Evans, Ing, Lowen, Nishimoto, Takayama	LAB/EDN, FIN
HB 790	Charitable Solicitation of Funds from the Public	Extends reporting requirements to commercial co-venturers, allows for penalties to be imposed on commercial co-venturers who fail to comply with the reporting requirements, and clarifies the exemption from registration for organizations who receive less than \$25,000 in contributions annually.	2/8/13 HB790: This measure has been deleted from the meeting scheduled on Monday 02-11-13 3:30PM in conference room 325.	SOUKI (Introduced by request of another party)	CPC
HB 791	Nonprofit Corporations; Inspection of Records by Directors	Adds a new section to clearly provide that directors of a nonprofit corporation shall have access to the books and records of the corporation to the extent reasonably related to their duties.	2/21/13 HB791: The committees on JUD recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 9 Ayes: Representative(s) Rhoads, Har, Belatti, Brower, Ito, Kawakami, Tsuji, McDermott, Thielen; Ayes with reservations: none; Noes: none; and 4 Excused: Representative(s) Cabanilla, Carroll, C. Lee, Wooley.	SOUKI (Introduced by request of another party)	CPC, JUD
HB 860	Itemized Income Tax Deductions	Exempts charitable income tax deductions from the itemized deduction caps.	1/24/13 HB860: Referred to FIN, referral sheet 5	SOUKI (Introduced by request of another party)	FIN

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
HB 915	Employment Security Law	Prohibits noncharging of an employer's account when the employer (or agent) is at fault and imposes a fifteen per cent penalty on fraudulent benefit overpayments effective October 1, 2013; provides for deductions from federal income tax refunds to recover delinquent debts effective April 1, 2013; and allows the withdrawal of fees from the unemployment trust fund effective April 1, 2013	2/20/13 HB915: The committees on FIN recommend that the measure be PASSED, UNAMENDED. The votes were as follows: 17 Ayes: Representative(s) Luke, Nishimoto, Johanson, Cullen, Hashem, Ing, Jordan, Kobayashi, Lowen, Morikawa, Onishi, Takayama, Tokioka, Woodson, Yamashita, Fukumoto, Ward; Ayes with reservations: none; Noes: none; and Excused: none.	SOUKI (Introduced by request of another party)	LAB, FIN
HB 916	Minimum Wage; Consumer Price Index	Increases the minimum hourly wage to \$8.75 per hour beginning January 1, 2014; adjusts the minimum hourly wage thereafter in accordance with the consumer price index; and increases the tip credit to thirty cents.	2/5/13 HB916: Passed Second Reading and referred to the committee(s) on FIN with none voting aye with reservations; none voting no (0) and Carroll, Har, Oshiro, Takumi excused (4).	SOUKI (Introduced by request of another party)	LAB/EDB, FIN
HB 917	Wages; Payment of Compensation	Requires employers to provide employees with specific wage and employer information in employees' pay records; requires employers to maintain accurate and timely wage recordkeeping. Effective January 1, 2014.	2/20/13 HB917: Passed First Reading.	SOUKI (Introduced by request of another party)	LAB/EDB, FIN
HB 922	Workers' Compensation Medical Treatment; Decisions Without a Hearing	Allows the Director of Labor and Industrial Relations to make a decision on disputes regarding treatment plans and continued medical services without a hearing, upon the mutual consent of both parties. (HD2)	2/20/13 HB922: Passed First Reading.	SOUKI (Introduced by request of another party)	LAB, FIN
HB 929	Employment and Training Assessment	Beginning January 1, 2013, exempts the employment and training assessment on contributory employers with zero per cent and the maximum rate according to the applicable contribution rate schedule in section 383-68.	2/20/13 HB929: Passed First Reading.	SOUKI (Introduced by request of another party)	LAB, FIN
HB 954	General Excise Tax; Nonprofit Organizations	Mandates that nonprofit organizations receive notice before denial of general excise tax benefit; limits liability of persons having control of certain amounts held in trust for nonprofit organizations; and defines "nonprofit organization".	1/24/13 HB954: Referred to FIN, referral sheet 5	SOUKI (Introduced by request of another party)	FIN

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
HB 1023	Internet Privacy Protection Act	Prohibits educational institutions and employers from requesting a student, prospective student employee, or prospective employee to grant access to, allow observation of, or disclose information that allows access to or observation of personal internet accounts. Provides penalties.	2/6/13 HB1023: The committee(s) on EDN/HED recommend(s) that the measure be deferred.	KAWAKAMI, ICHIYAMA, ITO, OSHIRO, SAY, TOKIOKA, TSUJI	EDN/HED, JUD
HB 1028	Employment Security; Weekly Benefit Amounts; Contribution Rate Schedules; Minimum Wages; Increases	Extends the maximum weekly benefit amount at seventy-five per cent of the average weekly wage from December 31, 2012, to December 31, 2013. Sets, for calendar year 2013, the employer contribution rate at schedule F. Increases the hourly minimum wage to \$7.75 on January 1, 2014, \$8.25 on January 1, 2015, and \$8.75 on January 1, 2016. Applies retroactively to January 1, 2013. (HB1028 HD1)	2/22/13 HB1028: The committees on FIN recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 17 Ayes: Representative(s) Luke, Nishimoto, Cullen, Hashem, Ing, Jordan, Kobayashi, Lowen, Morikawa, Onishi, Takayama, Woodson, Yamashita; Ayes with reservations: Representative(s) Johanson, Tokioka, Fukumoto, Ward; Noes: none; and Excused: none.	YAMASHITA, CHOY, COFFMAN, CULLEN, HAR, ICHIYAMA, ITO, JORDAN, KAWAKAMI, OSHIRO, SAY, TAKAYAMA, TOKIOKA, TSUJI, YAMANE	LAB, FIN
HB 1044	Disaster Relief; Tsunami Evacuation	Requires businesses located in tsunami evacuation areas to close at an unspecified period of time following first sounding of tidal wave or tsunami warning sirens until further notice. Makes qualifications for gas stations, businesses that sell staple goods, and health care providers.	1/28/13 HB1044: Referred to PBS, CPC, referral sheet 6	AQUINO	PBS, CPC
HB 1053	Itemized Income Tax Deductions	Exempts charitable income tax deductions from the itemized deduction caps.	1/28/13 HB1053: Referred to FIN, referral sheet 6	LUKE, BROWER, CHEAPE, C. LEE, MCKELVEY, MORIKAWA, NAKASHIMA, NISHIMOTO, ONISHI, WARD, Ing, Lowen, Ohno, Rhoads	FIN
HB 1057	Meal Breaks; Employees	Requires employers to provide meal breaks for employees who work more than a total of five hours a day. Imposes penalties on employers who fail to provide meal breaks. Clarifies that the employer's liability is based on an employee's regular wage at the time the infraction occurred.	1/28/13 HB1057: Referred to LAB, JUD, referral sheet 6	ING, C. LEE, MIZUNO, RHOADS, Aquino, Hashem, Morikawa	LAB, JUD
HB 1176	Workers' Compensation; Medical Service Fees; Disputes	Authorizes the employer and provider of services to notify the director of labor and industrial relations in the event of a reasonable disagreement relating to specific medical service charges. Requires that the notice of dispute is done in writing and that the parties negotiate during the thirty-one calendar days following the date of the notice to the director. Allows parties to request the director to render an administrative decision without a hearing in the event the parties fail to reach an agreement within the thirty-one day negotiation period. Establishes that the administrative decision rendered by the director is final and nonappealable.	2/21/13 HB1176: The committee(s) on FIN recommend(s) that the measure be deferred.	NAKASHIMA	LAB, FIN

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
HB 1215	Minimum Wages; Increase	Increases the hourly minimum wage to \$8 on 1/1/14, \$8.25 on 1/1/15, and \$8.75 on 1/1/17.	1/28/13 HB1215: Referred to LAB, FIN, referral sheet 6	YAMASHITA	LAB, FIN
HB 1360	General Excise Tax; Use Tax; Suspension of Exemptions	Makes permanent the suspension of certain General Excise Tax and Use Tax exemptions as enacted by Act 105, Session Laws of Hawaii 2011. Effective June 29, 2013.	1/28/13 HB1360: Referred to FIN, referral sheet 7	LUKE	FIN
HB 1399	Professional Employer Organizations	Repeals HRS chapter 373L; adds definitions and registration and fee requirements to professional employer organization (PEO) law; requires notice to DOTAX of PEO violations for general excise tax exemption purposes; allows PEOs to be successor employers to client companies.	1/28/13 HB1399: Referred to LAB, CPC, FIN, referral sheet 7	YAMASHITA, AQUINO, CHOY, CULLEN, HAR, ICHIYAMA, JORDAN, MCKELVEY, NAKASHIMA, OSHIRO, SAY, TAKAYAMA, TSUJI, Hashem	LAB, CPC, FIN
SB 108	Paid Sick and Safe Leave	Requires employers to provide a minimum amount of paid sick and safe leave to employees to be used to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking.	1/17/13 SB108: Referred to HMS/JDL, WAM.	CHUN OAKLAND, GALUTERIA, Baker, Espero, Ihara, Shimabukuro	HMS/JDL, WAM
SB 247	General Excise Tax; Charitable Organizations	Exempts the general excise tax rate for fundraising activities by charitable organizations.	1/22/13 SB247: Referred to WAM.	SLOM	WAM
SB 331	Minimum Wage; Employment	Increases minimum wage to \$8.25 starting 07/01/13, \$8.75 starting 07/01/14, and \$9.25 starting 07/01/15 and ending 06/30/16. Authorizes the department of labor and industrial relations to adjust the minimum hourly wage thereafter in accordance with the consumer price index. (SD1)	2/22/13 SB331: The committee(s) on WAM will hold a public decision making on 02-26-13 10:05AM in conference room 211.	HEE	JDL, WAM
SB 332	Wages; Payment of Compensation	Requires employers to provide employees with specific wage and employer information in employees' pay records; requires employers to maintain accurate and timely wage recordkeeping. Effective 07/01/50. (SD1)	2/22/13 SB332: The committee(s) on WAM will hold a public decision making on 02-26-13 10:05AM in conference room 211.	HEE	JDL, WAM

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
SB 393	Family Leave; Siblings; Grandchild	Adds definition of "sibling" to the Family Leave Law. Permits an employee to use family leave to care for a sibling, grandchild, or a civil union partner.	1/22/13 SB393: Referred to JDL.	CHUN OAKLAND, RUDERMAN, Baker, Galuteria, Ige, Kidani, Shimabukuro, L. Thielen	JDL
SB 510	Professional Employer Organizations; Registration; Fees; Bond	Repeals chapter 373K, Hawaii Revised Statutes. Clarifies professional employer organization responsibilities with respect to meeting the statutory requirements of the repealed chapter 373K, Hawaii Revised Statutes, and the nexus between the registration of professional employer organizations and qualification for the state general excise tax exemption. Requires professional employer organizations to obtain a bond on a sliding scale that is based on total payroll amount. (SD1)	2/22/13 SB510: The committee(s) on WAM recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in WAM were as follows: 11 Aye(s): Senator(s) Ige, Kidani, Chun Oakland, English, Espero, Kafele, Keith-Agaran, Ruderman, L. Thielen, Tokuda; Aye(s) with reservations: Senator(s) Slom ; 0 No (es): none; and 2 Excused: Senator(s) Dela Cruz, Kouchi.	BAKER, CHUN OAKLAND, GREEN, KEITH-AGARAN, Ruderman, Shimabukuro	CPN, WAM
SB 532	Breastfeeding; Workplace Accommodation	Requires certain employers to provide reasonable time and a clean location for breastfeeding employees to express breast milk in privacy. Requires covered employers to post a notice. Establishes a civil fine.	2/22/13 SB532: The committee(s) on JDL has scheduled a public hearing on 02-26-13 10:00AM in conference room 016.	CHUN OAKLAND, Baker, Kidani, Shimabukuro, L. Thielen, Tokuda	JDL
SB 534	Paid Sick and Safe Leave	Requires employers to provide a minimum amount of paid sick and safe leave to employees to care for themselves or a family member who is ill, needs medical care, or is a victim of domestic violence, sexual assault, or stalking. Effective 7/1/13.	1/22/13 SB534: Referred to JDL, WAM.	TOKUDA, BAKER, CHUN OAKLAND, Kidani, Shimabukuro	JDL, WAM
SB 546	Family Leave; Military Deployment	Allows an employee with a family member in the United States armed forces who is on active duty or notified of a call to active duty, to use family leave for certain activities for which an employee may take military family leave under federal law. Provides employers with a mechanism to certify the validity of requests for military family leave. Effective July 1, 2013. (SD1)	2/6/13 SB546: Report adopted; Passed Second Reading, as amended (SD 1) and referred to JDL.	ESPERO, Baker, Green	PSM, JDL
SB 562	Labor; Employment; Family School Leave; Education; Legislative Reference Bureau	Requires the legislative reference bureau to conduct a study on family school leave that examines the feasibility and potential impact of requiring employers to allow parents and guardians of school-aged children to take leave from their employment to participate in their children's educational activities and to report to the legislature. (SD1)	2/12/13 SB562: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.	TOKUDA, CHUN OAKLAND, Baker, Ige, Kidani	EDU/JDL, WAM

SHRM HAWAII
 BILL TRACKING REPORT
 February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
SB 786	General Excise Tax; Charitable Organizations	Exempts the general excise tax rate for fundraising activities by charitable organizations.	1/22/13 SB786: Referred to WAM.	SLOM, Ige, Keith-Agaran, Wakai	WAM
SB 813	Professional Employer Organizations; Registration and Fees; Enterprise Zone Coverage; General Excise Tax Exemption; Transfer of Experience Record as Successor Employer	Amends definitions and adds registration and fee requirements for professional employer organizations; repeals chapter 373L, Hawaii Revised Statutes; amends the definition of leased employees for enterprise zone coverage of a qualified business; amends the general excise tax exemption for professional employer organizations; allows professional employer organizations to apply for a transfer of a client company's experience record for unemployment insurance contribution purposes.	2/14/13 SB813: The committee on CPN deferred the measure.	CHUN OAKLAND, ESPERO, IHARA, Dela Cruz	CPN, WAM
SB 874	Workers' Compensation; Impartial Physician; Exam	Requires a workers' compensation impartial exam to be conducted by a doctor whose specialty is appropriate for the injury to be examined.	2/14/13 SB874: Report adopted; Passed Second Reading and referred to WAM.	HEE	JDL, WAM
SB 875	Workers' Compensation; Medical Examinations; Appropriation(\$)	Amends section 386-79, HRS, to require independent medical examinations and permanent impairment rating examinations for workers' compensation claims to be performed by physicians mutually agreed upon by employers and employees or appointed by the director of the department of labor and industrial relations. Allows for the use of an out-of-state physician under certain conditions. Appropriates unspecified funds. Effective 7/1/2050. Section 2 effective 7/1/13. Repeals on 6/30/2018. (SD1)	2/15/13 SB875: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.	HEE	HTH/JDL, WAM
SB 876	Workers' Compensation; Medical Service Fees; Disputes	Authorizes the employer and provider of services to notify the director of labor and industrial relations in the event of a reasonable disagreement relating to specific medical service charges. Requires that the notice of dispute is done in writing and that the parties negotiate during the thirty-one calendar days following the date of the notice to the director. Allows parties to request the director to render an administrative decision without a hearing in the event the parties fail to reach an agreement within the thirty-one day negotiation period. Allows the direct to assess a \$250 fee to either or both parties who fail to negotiate in good faith. Mandates that the administrative decision rendered by the director shall be appealable to the appellate board for ninety days after the administrative decision is issued and thereafter to the intermediate appellate court, subject to chapter 602, HRS. Effective July 1, 2050. (SD1)	2/15/13 SB876: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.	HEE	HTH/JDL, WAM

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
SB 1020	Charitable Solicitation; Charitable Solicitation of Funds from the Public; Commercial Co-venturers	Extends reporting and recordkeeping requirements to commercial co-venturers; allows penalties to be imposed on commercial co-venturers who fail to comply with reporting requirements; clarifies the exemption from registration for organizations who receive less than \$25,000 in contributions annually. (SD1)	2/20/13 SB1020: 48 Hrs. Notice 02-28-13.	KIM (Introduced by request of another party)	CPN
SB 1021	Nonprofit Corporations; Inspection of Records by Directors	Explicitly provides that directors of a nonprofit corporation shall have access to the books and records of the corporation to the extent reasonably related to their duties. (SD1)	2/13/13 SB1021: Report adopted; Passed Second Reading, as amended (SD 1) and referred to JDL.	KIM (Introduced by request of another party)	CPN, JDL
SB 1092	Hurricane Reserve Trust Fund; Recapitalization; Appropriation(\$)	Makes a general fund appropriation of an unspecified amount for fiscal year 2014-2015 to recapitalize the hurricane reserve trust fund. (SD1)	2/22/13 SB1092: The committee(s) on WAM recommend(s) that the measure be PASSED, UNAMENDED. The votes in WAM were as follows: 12 Aye(s): Senator (s) Ige, Kidani, Chun Oakland, Dela Cruz, English, Espero, Kahele, Keith-Agaran, Ruderman, L. Thielen, Tokuda, Slom; Aye (s) with reservations: none ; 0 No(es): none; and 1 Excused: Senator(s) Kouchi.	KIM (Introduced by request of another party)	CPN, WAM
SB 1146	Employment Security Law	Prohibits noncharging of an employer's account when the employer (or agent) is at fault and imposes a fifteen per cent penalty on fraudulent benefit overpayments effective October 1, 2013; provides for deductions from federal income tax refunds to recover delinquent debts effective April 1, 2013; and allows the withdrawal of fees from the unemployment trust fund effective April 1, 2013	1/24/13 SB1146: Referred to JDL, WAM.	KIM (Introduced by request of another party)	JDL, WAM
SB 1147	Minimum Wage; Consumer Price Index	Increases the minimum hourly wage to \$8.75 per hour beginning January 1, 2014; adjusts the minimum hourly wage thereafter in accordance with the consumer price index; and increases the tip credit to thirty cents.	1/24/13 SB1147: Referred to JDL, WAM.	KIM (Introduced by request of another party)	JDL, WAM
SB 1148	Wages; Payment of Compensation	Requires employers to provide employees with specific wage and employer information in employees' pay records; requires employers to maintain accurate and timely wage recordkeeping. Effective January 1, 2014.	1/24/13 SB1148: Referred to JDL, WAM.	KIM (Introduced by request of another party)	JDL, WAM

SHRM HAWAII

BILL TRACKING REPORT

February 22, 2013

House Bills: 40

Senate Bills: 27

BILL NO.	TITLE	DESCRIPTION	STATUS	INTRODUCER(S)	REFERRAL
SB 1153	Workers' Compensation Medical Treatment; Decisions; Denial of	Amends section 386-21(c), Hawaii Revised Statutes, by allowing the Director of Labor and Industrial Relations to make a decision on disputes regarding treatment plans and continued medical services without a hearing.	1/24/13 SB1153: Referred to JDL, WAM.	KIM (Introduced by request of another party)	JDL, WAM
SB 1160	Employment and Training Assessment	Beginning January 1, 2013, exempts the employment and training assessment on contributory employers with zero per cent and the maximum rate according to the applicable contribution rate schedule in section 383-68.	1/24/13 SB1160: Referred to JDL, WAM.	KIM (Introduced by request of another party)	JDL, WAM
SB 1185	General Excise Tax; Nonprofit Organizations	Mandates that nonprofit organizations receive notice before denial of general excise tax benefit; limits liability of persons having control of certain amounts held in trust for nonprofit organizations; and defines "nonprofit organization". (SD1)	2/28/13 SB1185: Reported from WAM (Stand. Com. Rep. No. 465) with recommendation of passage on Second Reading, as amended (SD 1) and placement on the calendar for Third Reading.	KIM (Introduced by request of another party)	WAM
SB 1263	Meal Breaks; Employees	Requires employers, under certain circumstances, to provide meal breaks for any employee who works more than five consecutive hours. Imposes penalties on employers who fail to provide meal breaks. Clarifies that the employer's liability is based on an employee's regular wage at the time the infraction occurred. Effective 07/01/50. (SD1)	2/11/13 SB1263: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.	SHIMABUKURO	JDL, WAM
SB 1288	Family Leave; Siblings	Permits an employee to use family leave time to care for a sibling. Defines "sibling". Effective 07/01/50. (SD1)	2/14/13 SB1288: Report adopted; Passed Second Reading, as amended (SD 1) and referred to WAM.	KIDANI, BAKER, CHUN OAKLAND, NISHIHARA, TOKUDA, Ihara, Shimabukuro	JDL, WAM
SB 1302	Workers' Compensation; Repackaged Medications and Compounded Medications	Restricts reimbursement of repackaged prescription drugs and compound medications to amounts comparable to that of retail pharmacies under state law.	1/28/13 SB1302: Referred to JDL/CPN, WAM.	KIM (Introduced by request of another party)	JDL/CPN, WAM