

STAND. COM. REP. NO.

821

Honolulu, Hawaii

MAR 22 2011

RE: H.B. No. 1109
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred H.B. No. 1109, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is 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 family leave for certain activities that would qualify as an exigency under federal law.

Your Committee received testimony in support of this measure from the State Department of Defense, Department of Labor and Industrial Relations, and Department of Human Resources Development.

Under current law, employees are entitled to a total of four weeks of family leave during any calendar year upon the birth of a child of the employee, the adoption of a child, or to care for the employee's child, spouse or reciprocal beneficiary, or parent with a serious health condition. Care for a family member who is in the military is not covered under the existing family leave law.

Your Committee finds that 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, should be allowed to use family



leave for certain activities for which an employee may take military family leave under federal law. Hawaii has a rich tradition of cooperation and support of our service members. Extending the ability to take family leave for a family member who is proudly serving in the defense of one's country is warranted inasmuch as many Hawaii employees are military reservists or national guardsmen.

Your Committee has amended this measure by:

- (1) Clarifying the reference to the federal Family and Medical Leave Act for accuracy; and
- (2) Eliminating the provision for rulemaking as federal rules are in place.

As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1109, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1109, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Government Operations, and
Military Affairs,



WILL ESPERO, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

Bill / Resolution No.:* HB 1109, HD1	Committee Referral: PGM, JDL	Date: 3/15/11
--	--	----------------------

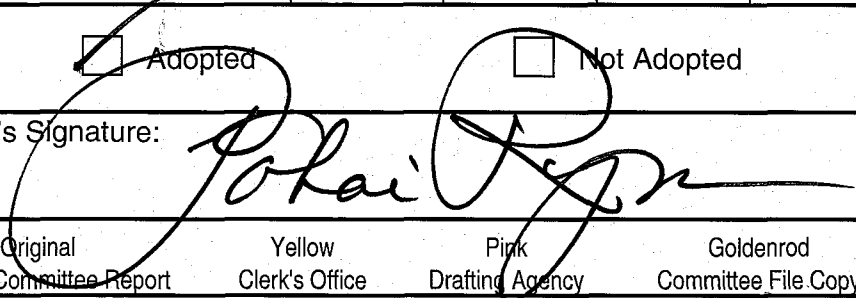
The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
KIDANI, Michelle N. (VC)				✓
BAKER, Rosalyn H.	✓			
RYAN, Pohai	✓			
SLOM, Sam				✓
TOTAL	3			2

Recommendation: Adopted 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

*Only one measure per Record of Votes