

STAND. COM. REP. NO.

112

Honolulu, Hawaii

February 6, 2019

RE: H.B. No. 1059
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1059 entitled:

"A BILL FOR AN ACT RELATING TO FAIR EMPLOYMENT PRACTICES,"

begs leave to report as follows:

The purpose of this measure is to prohibit noncompete agreements for low wage workers.

Specifically, this measure prohibits noncompete clauses or nonsolicit clauses in employment contracts for employees whose earnings do not exceed the greater of the hourly minimum wage required by applicable federal or state law or \$15 per hour.

The Ocean Tourism Coalition and an individual testified in support of this measure. The Retail Merchants of Hawaii opposed this measure.

Your Committee has amended this measure by changing its effective date to January 1, 2050, to facilitate further discussion.

HB1059 HD1 HSCR LAB HMS 2019-1635



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. 1059, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1059, H.D. 1, and be referred to your Committee on Finance.

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



AARON LING JOHANSON, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSCR 112

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HD 1059	Committee Referral: LAB, FIN	Date: 01-31-2019		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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. JOHANSON, Aaron Ling (C)	✓			
2. ELI, Stacelynn K.M. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KITAGAWA, Lisa	✓			
5. McKELVEY, Angus L.K.	✓			
6. QUINLAN, Sean	✓			
7. YAMASHITA, Kyle T.	✓			
8. MATSUMOTO, Lauren	✓			
TOTAL (8)	8			
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>Stacelynn K.M. Eli</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				