

STAND. COM. REP. NO.

985

Honolulu, Hawaii

MAR 27 2009

RE: H.B. No. 643
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committees on Commerce and Consumer Protection and Labor, to which was referred H.B. No. 643, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTORS,"

beg leave to report as follows:

The purpose of this measure is to allow the Contractors Licensing Board to revoke, suspend, or refuse to renew the license of a contractor who knowingly employs individuals who are ineligible for employment in the United States on public works contracts.

Your Committees received testimony in support of this measure from Pacific Resource Partnership, Hawaii Carpenters Union, Laborers International Union of North America Local 368, and Hawaii Building and Construction and Trades Council, AFL-CIO. Testimony in opposition to this measure was received from the Hawaii Civil Rights Commission and one private citizen. Testimony with comments on this measure was received from the Contractors Licensing Board and the Building Industry Association Hawaii. Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that while federal law regulates eligibility criteria for foreign workers in the United States, the states retain a role in regulating state contracting and labor issues. Your Committees further find that the concerns expressed in the testimony of the Hawaii Civil Rights Commission regarding

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the application of federal standards and the potential for increased unlawful discrimination complaints have merit and, therefore, respectfully request that the Committee on Judiciary and Government Operations consider these issues, which lie properly within that Committee's jurisdiction.

Your Committees have amended this measure by making technical, nonsubstantive changes to the language of this measure for the purposes of clarity and accuracy.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 643, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 643, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committees on Commerce and
Consumer Protection and Labor,



DWIGHT Y. TAKAMINE, Chair




ROSALYN H. BAKER, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

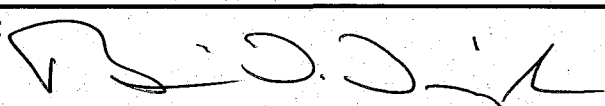
Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* HB 643 HD2	Committee Referral: CPN/LBR, JGO	Date: 3/23/2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les	✓			
SAKAMOTO, Norman	✓			
HEMMINGS, Fred	✓			
TOTAL	7			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy				

*Only one measure per Record of Votes

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:*	Committee Referral:	Date:		
HBO43 HD2	CPN/LBR, J60	3-24-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TAKAMINE, Dwight Y. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BUNDA, Robert				✓
HEE, Clayton				✓
SLOM, Sam			✓	
TOTAL	2	0	1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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