

Honolulu, Hawaii

APR 07 2017

RE: H.B. No. 1031
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 1031, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS,"

begs leave to report as follows:

The purpose and intent of this measure is to facilitate compliance with Internal Revenue Service requirements by authorizing the Child Support Enforcement Agency and the Departments of Taxation, Human Services, and Labor and Industrial Relations to perform criminal history record checks on employees, prospective employees, and contractors who have access to federal tax information.

Your Committee received written comments in support of this measure from the Department of Taxation, Department of Human Services, Department of Labor and Industrial Relations, Department of the Attorney General, and the Mayor of the County of Hawaii.

Your Committee finds that the Internal Revenue Service recently mandated that all agencies that receive federal tax information perform background checks, including a Federal Bureau of Investigation fingerprint search, on all employees who have access to federal tax information. This measure will allow the Child Support Enforcement Agency and the Departments of Taxation,




Human Services, and Labor and Industrial Relations to comply with these new federal requirements and continue to perform their core functions.

Your Committee notes that provisions allowing an agency to deny employment to a "contractor" and "employee or agent of the contractor" are not consistent across the four agencies listed in the measure. Specifically, this measure expressly grants certain agencies the authority to deny employment to "an employee or agent of the contractor" while other agencies are not given this express authority. Your Committee further notes that the Mayor of the County of Hawaii requested that this measure be amended to grant the counties authority to conduct criminal history record checks on current and prospective employees and contractors that have or will have access to federal tax information. Your Committee respectfully requests that the Committee on Conference convened for this measure consider the foregoing issues.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1031, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

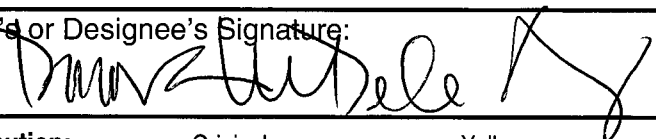


JILL N. TOKUDA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1031, HD1, SD1	SDL, WAM	3/31/17		
<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 checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)	/			
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.	/			
KAHELE, Kaiali'i	/			
RIVIERE, Gil	/			
SHIMABUKURO, Maile S.L.				/
TANIGUCHI, Brian T.	/			
WAKAI, Glenn	/			
TOTAL	10			1
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