REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO CONVENE AN INTERAGENCY ENFORCEMENT TASK FORCE TO COMBAT ILLEGAL ACTIVITIES RELATED TO THE CONSTRUCTION AND OPERATIONS OF "MONSTER HOMES" IN THE STATE.

WHEREAS, Hawaii neighborhoods have seen an increase in the number of structures commonly referred to as "monster homes," or large-scale homes that are designed to house several families but are situated on property zoned for single-family residential use; and

WHEREAS, these monster homes are very large, multi-level residential structures, with some homes reported to have as many as 17 to 25 bedrooms; and

WHEREAS, these monster homes are homes built to the limits of lot lines and to the maximum permissible height; and

WHEREAS, the construction of monster homes in single-family neighborhoods have raised concerns, including whether monster homes are in violation of permitting and zoning laws and whether the owners of these homes have appropriate certificates of occupancy or have modified their structures to create illegal units; and

WHEREAS, residents of neighborhoods that have monster homes note an increase in noise and traffic, limited or no public parking, a strain on the existing community and surrounding infrastructure, greater density in the neighborhood, and erosion of the neighborhood character; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2018, that the Department of Labor and Industrial Relations is requested to convene an interagency enforcement task force,
within the Department of Labor and Industrial Relations for administrative purposes, to combat illegal activities related to the construction and operations of monster homes in the State; and

BE IT FURTHER RESOLVED that the interagency enforcement task force is requested to assume the following functions as they relate to combatting illegal activities related to the construction and operations of monster homes in the State:

(1) Serve as the State's interagency advisory and enforcement entity, with representation from state and county government departments and agencies, to combat illegal activities related to the construction and operations of monster homes;

(2) Facilitate timely information-sharing among task force members, including through protocols by which participating departments and agencies advise or refer matters of potential investigative interest to other departments and agencies;

(3) Identify illegal activities related to the construction and operations of monster homes;

(4) Coordinate task force members' investigative and enforcement resources against violators on multiple fronts, including through the formation of interagency investigative and enforcement teams;

(5) Assess existing investigative and enforcement methods in Hawaii and in other jurisdictions and develop and recommend strategies to improve those methods;

(6) Encourage neighborhood boards, community associations, businesses, and individuals to identify violators by soliciting information from the public, facilitating the filing of complaints, and enhancing available mechanisms by which communities and individuals can report suspected violations;
(7) Solicit the cooperation and participation of prosecutorial agencies at the federal, state, and county levels and other relevant federal, state, and county law enforcement departments and agencies;

(8) Establish procedures for referring cases to prosecuting authorities as appropriate;

(9) Work collaboratively with labor, neighborhood boards, community associations, businesses, and individuals to address illegal activities related to the construction and operations of monster homes by, among other means, disseminating educational materials regarding the applicable laws and increasing public awareness of the harm caused to communities by illegal operations;

(10) Work collaboratively with federal, state, and local social services agencies to provide assistance to vulnerable populations that have been exploited by the illegal construction and operations of monster homes, including immigrant workers;

(11) Identify potential regulatory or statutory changes that would strengthen enforcement efforts, including changes needed to resolve existing legal ambiguities or inconsistencies, as well as potential legal procedures for facilitating individual enforcement efforts;

(12) Consult with representatives of labor, neighborhood boards, community associations, and businesses; members of the Legislature; representatives of the City and County of Honolulu and Counties of Hawaii, Kauai, and Maui; community groups; and other state and county departments and agencies regarding the activities of the task force and its members on ways of improving the effectiveness of the task force, including consideration of whether to establish an advisory panel within a state department;

(13) Submit an annual report no later than twenty days before the convening of each regular session to the
Legislature, Governor, Mayor and Council Chair of the City and County of Honolulu, and Mayors and Council Chairs of the Counties of Hawaii, Kauai, and Maui summarizing the task force's activities during the preceding year; and

(14) Take appropriate steps to publicize its activities and actions; and

BE IT FURTHER RESOLVED that the task force is requested to include the following in its annual report:

(1) A description of the task force's efforts and accomplishments during the year;

(2) Identification of any administrative or legal barriers that impede the more effective operation of the task force, including barriers to information-sharing or joint action;

(3) Proposals, after consultation with representatives of labor, neighborhood boards, community associations, and businesses; members of the Legislature; representatives of the City and County of Honolulu and the Counties of Hawaii, Kauai, and Maui; community groups; and other state and county agencies, of appropriate administrative, legislative, or regulatory changes to strengthen the operations and enforcement efforts of the task force and reduce or eliminate any barriers to those efforts; and

(4) Identification of successful preventive mechanisms for addressing the problem of illegal activities related to the construction and operations of monster homes; and

BE IT FURTHER RESOLVED that every department and agency within the State's Executive Branch and the Executive Branches of the City and County of Honolulu and the Counties of Hawaii, Kauai, and Maui is requested to work collaboratively with the task force and make all reasonable efforts to:
(1) Stop contractors and subcontractors who are in violation of permitting, licensing, workers' compensation, unemployment insurance, prepaid health insurance, and other labor and licensing laws from working on a construction project to ensure that the health, well-being, and safety of all workers on the project are protected;

(2) Develop and implement policies, rules, and laws that allow state and county departments and agencies to halt the work, as soon as legally possible, of contractors and subcontractors who are in violation of permitting, licensing, and labor laws; and

(3) Furnish information and assistance as the task force reasonably deems necessary to accomplish the purposes of the task force; and

BE IT FURTHER RESOLVED that the interagency enforcement task force may hold meetings that are closed to the public pursuant to section 92-5, Hawaii Revised Statutes; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor; Mayor of the City and County of Honolulu; Mayors of the Counties of Hawaii, Kauai, and Maui; and Director of Labor and Industrial Relations.

OFFERED BY: ___________________________

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