

STAND. COM. REP. NO.

2199

Honolulu, Hawaii

FEB 12 2018

RE: S.B. No. 2801  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committees on Labor and Judiciary, to which was referred S.B. No. 2801 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, "

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the labor law enforcement special fund to finance the collection of penalties for violations of labor law;
- (2) Establish two positions, including an attorney and legal assistant, in the Department of the Attorney General to represent the Department of Labor and Industrial Relations in collecting penalties for violations of law; and
- (3) Appropriate funds into and out of the labor law enforcement special fund.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Pacific Resource Partnership, and one individual. Your Committees received comments on this measure from the Tax Foundation of Hawaii.



Your Committees find that this measure aims to improve compliance with labor laws by helping ensure that penalties for violations are collected by the Department of Labor and Industrial Relations. In mid-2017, the Department of Labor and Industrial Relations estimated that it had more than \$2,705,024 in accounts receivable over the past several years. Your Committees further find that hiring an attorney and a legal assistant to pursue these collections would greatly improve the Department of Labor and Industrial Relations' capacity to collect these penalties and efficiently effectuate the intent of labor law.

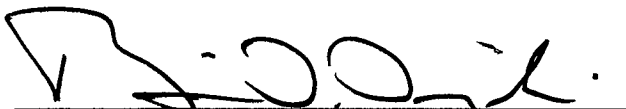
Your Committees recommend that as this measure moves through the legislative process, your Committee on Ways and Means consider adding reporting requirements relating to the status of the special fund.


Your Committees have amended this measure by:

- (1) Authorizing the labor law enforcement special fund to collect fees, in addition to penalties, as requested by the Department of Labor and Industrial Relations; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Labor and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2801, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2801, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Labor and  
Judiciary,


  
BRIAN T. TANIGUCHI, Chair

  
JILL N. TOKUDA, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Labor**  
**LBR**

Bill / Resolution No.:* <i>SB2801</i>	Committee Referral: <i>LBR/JDC, WAM</i>	Date: <i>02/01/18</i>		
<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
TOKUDA, Jill N. (C)	✓			
ENGLISH, J. Kalani (VC)				✓
CHANG, Stanley	✓			
IHARA, Jr., Les	✓			
TANIGUCHI, Brian T.	✓			
<b>TOTAL</b>	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SB 2801</b>	Committee Referral: <b>LBR/JDC, WAM</b>	Date: <b>2/1/18</b>		
<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
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

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