

STAND. COM. REP. NO.

1554

Honolulu, Hawaii

APR 05 2007

RE: H.B. No. 1399
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1399, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INCARCERATED PERSONS,"

begs leave to report as follows:

The purpose of this measure is to clarify that inmates who
participate in work, education, and vocational training programs
are exempt from statutory employee benefits.

Your Committee received testimony in support of the bill from
the Department of Public Safety and from the Department of Labor
and Industrial Relations.

Your Committee finds that the Federal Unemployment Tax Act
already exempts inmates from statutory employee benefits but the
state law does not explicitly provide for a similar exemption.
Your Committee further finds that if inmates are considered
employees of the State, the cost of unemployment insurance and
other benefits could force the closure of important rehabilitative
programs.

As affirmed by the record of votes of the members of your
Committee on Judiciary and Labor that is attached to this report,



your Committee is in accord with the intent and purpose of H.B. No. 1399, S.D. 1, and recommends that it pass Third Reading.

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

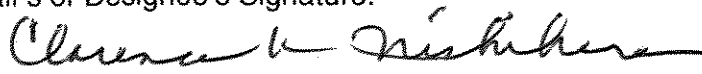


CLAYTON HEE, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
 Committee on Judiciary and Labor
 JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1399 SD1	PBS, JDL	3/30/07		
<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
HEE, Clayton (C)	✓			
KOKUBUN, Russell S. (VC)				✓
INOUE, Lorraine R.	✓			
NISHIHARA, Clarence K.	✓			
GABBARD, Mike	✓			
TOTAL	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

*Only one measure per Record of Votes