

STAND. COM. REP. NO. 319

Honolulu, Hawaii
Feb 18, 2009

RE: H.B. No. 441
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 441 entitled:

"A BILL FOR AN ACT RELATING TO CHILD CARE,"

begs leave to report as follows:

The purpose of this bill is to provide protection for families using child care services by criminalizing misrepresentation by a child care provider as a misdemeanor.

A concerned individual testified in support of this bill. The Department of Human Services supported the intent of this measure.

Several concerns were raised regarding ambiguous language used within this measure. Those concerned pointed out that not only is it unclear what the term "misrepresentation" includes, but it is also unclear who, specifically, will be held accountable should an offense occur. Additionally, objections were raised about the possibility of imprisonment for a non-violent offense.

Accordingly, your Committee has amended this bill by:

- (1) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 441, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 441, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,


JOHN M. MIZUNO, Chair



