

CONFERENCE COMMITTEE REP. NO.

64

Honolulu, Hawaii

APR 30 2009 , 2009

RE: S.B. No. 203
S.D. 2
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

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

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 203, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTORS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to deter unlicensed contractor activity by increasing monetary sanctions for violations involving unlicensed contractor activity.

Your Committee finds that while unlicensed contractor activity can be disruptive of health, safety, and consumer protection standards, licensed contractors who make a sincere effort to remain in compliance with applicable laws and rules should not be subject to unduly harsh penalties for inadvertent or minor violations. Your Committee acknowledges that this measure is the result of a collaborative effort among the Department of Commerce and Consumer Affairs and various stakeholders to deter unlicensed contractors

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from avoiding licensing and oversight. Your Committee notes, however, that it is not the intent of this measure to impose an unintentionally severe penalty for a minor or inadvertent compliance violation. Your Committee further notes that the Department of Commerce and Consumer Affairs has communicated its intention to remain flexible and to use reasonable discretion in imposing financial penalties.

Your Committee has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 203, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 203, S.D. 2, H.D. 1, C.D. 1.

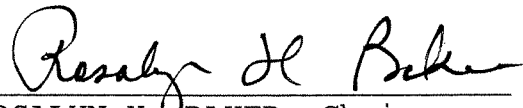
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ROBERT N. HERKES, Co-Chair



ROSALYN H. BAKER, Chair



BLAKE K. OSHIRO, Co-Chair



BRIAN T. TANIGUCHI, Co-Chair



CCR 64

Hawaii State Legislature

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 203, SD 2, HD 1	Date/Time: 4-22-09 2:40p
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The recommendation of the House and Senate managers is to pass with amendments (CD).

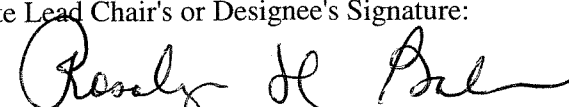

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				HERKES, Robert N., Co-Chr.	✓			
TANIGUCHI, Brian T., Co-Chr.	✓				OSHIRO, Blake K., Co-Chr.	✓			
HEMMINGS, Fred	✓		WR		WAKAI, Glenn	✓			
					MARUMOTO, Barbara C.	✓			
TOTAL	3	-	-	3	TOTAL	4	-	-	-

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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 File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency