

STAND. COM. REP. NO.

2800

Honolulu, Hawaii

MAR 19 2010

RE: H.B. No. 2897
H.D. 1
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committees on Labor and Commerce and Consumer Protection, to which was referred H.B. No. 2897, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTORS,"

beg leave to report as follows:

The purpose of this measure is to subject a contractor to revocation, suspension, or nonrenewal of the contractor's license for knowingly or intentionally employing a person on any project or operation who is not eligible to work in the United States under federal law, rather than limiting the revocation, suspension, or nonrenewal to contracts that are subject to chapter 104, Hawaii Revised Statutes.

Testimony in support of this measure was submitted by four private organizations. Testimony in opposition of this measure was submitted by two private organizations. Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that under the current economic climate it is imperative that persons who are eligible to work in the United States under federal law be afforded every opportunity to secure and retain gainful employment in this State rather than allowing contractors to use illegal labor to fill vacant jobs. Your Committees also find that the potential penalties against contractors identified in this measure should be delicately balanced against the likelihood of a contractor losing the ability



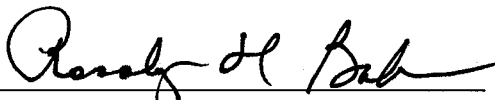
to engage in its craft, as well as the concerns raised by the Hawaii Civil Rights Commission relating to the potential for discrimination against workers who are eligible to work in the United States under federal law but who may appear to be ineligible due to their physical appearance.

Your Committees have amended this measure by:

- (1) Changing the effective date to upon approval; and
- (2) Including a repeal and reenactment provision that makes this measure effective through June 30, 2013.

As affirmed by the records of votes of the members of your Committees on Labor and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2897, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2897, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committees on Labor and
Commerce and Consumer
Protection,



ROSALYN H. BAKER, Chair



DWIGHT Y. TAKAMINE, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

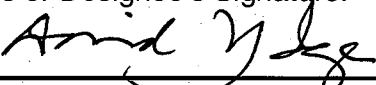
Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:* HB2897 HDI	Committee Referral: LBR/CPN, J40	Date: 3.11.10		
<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
TAKAMINE, Dwight Y. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BUNDA, Robert	✓			
HEE, Clayton				✓
SLOM, Sam			✓	
TOTAL	3	0	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: 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-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2897 HDI	LBR/CPN, JGD	3/11/2010		
<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
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh				✓
IHARA, Jr., Les		✓		
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
TOTAL	4	1		2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

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