

STAND. COM. REP. NO.

2995

Honolulu, Hawaii

APR - 1 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 Committee on Judiciary and Government Operations, to which was referred H.B. No. 2897, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTORS,"

begs leave to report as follows:

The purpose of this measure is to subject a contractor to the revocation, suspension, or nonrenewal of its 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.

Written comments in support of the measure were submitted by two private organizations. Written comments in opposition to the measure were submitted by the Hawai'i Civil Rights Commission. Written comments regarding the measure were submitted by the Contractors License Board. Written comments presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that, by Act 145, Session Laws of Hawaii 2009, the Legislature subjected a contractor to the revocation, suspension, or nonrenewal of its license for knowingly or intentionally employing a person who is not eligible to work in the United States under federal law to perform work under a contract subject to chapter 104, Hawaii Revised Statutes, relating to contracts for construction of a public work project to which a governmental contracting agency is a party. Your Committee

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further finds that this measure is a logical extension of Act 145, as it will apply this penalty to all contractors and not just those contractors working on contracts that are subject to chapter 104, Hawaii Revised Statutes. Given the current economic climate and resulting unemployment rate in Hawaii, it is not unreasonable that the State should provide a level playing field for contractors who hire legally-employable workers, rather than continuing to license contractors who may be cutting corners by hiring workers who are not.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2897, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,

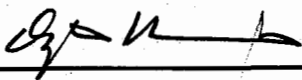


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* HB 2097, HDI, SDI	Committee Referral: LBR/CPN, JGO	Date: 3/23/10		
<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 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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.			✓	✓
SLOM, Sam			✓	
TOTAL	3	0	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				

*Only one measure per Record of Votes