

STAND. COM. REP. NO. 471

Honolulu, Hawaii
Feb 18, 2011

RE: H.B. No. 577
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 577 entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose of this bill is to address concerns regarding labor trafficking in the State by establishing:

- (1) The offense of labor trafficking in the first and second degrees;
- (2) Additional sentencing considerations by the court for victims held in servitude;
- (3) Extended terms of imprisonment for labor trafficking offenses;
- (4) Restitution for victims of labor trafficking;
- (5) The offense of nonpayment of wages if a person, as an employer of an employee, wilfully or with intent to defraud fails or refuses to pay wages to the employee; and
- (6) The offense of unlawful conduct with respect to documents under the labor trafficking law.

HB577 HD1 HSCR LAB HMS 2011-2428



The Department of Labor and Industrial Relations Office of Community Services, Equality Now, the Pacific Alliance to Stop Slavery, GiRL FeST Hawaii, Legacy of Life Hawaii, Hina Mauka Recovery Center, Soroptimist Int'l of Waikiki Foundation, Inc., Imago Dei Christian Community, King Surf Hawaii and Ala Moana Surfboards, Polaris Project, and numerous concerned individuals testified in support of this bill.

Upon consideration, your Committee has amended this bill by:

- (1) Removing references to "political subdivision" and "State" from the definition of "person"; and
- (2) Stipulating that a person commits unlawful conduct with respect to documents if the person knowingly destroys, conceals, removes, or confiscates any actual or purported government identification document of an employee.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 577, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 577, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



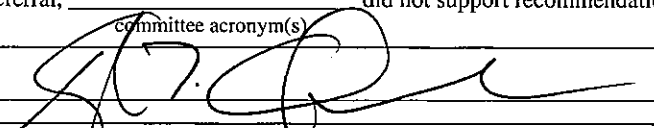
KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 471

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB577	Committee Referral: LAB, JMD	Date: 2-15-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. ICHIYAMA, Linda	/			
6. LEE, Marilyn B.	/			
7. LUKE, Sylvia	/			
8. SAIKI, Scott K.	/			
9. SOUKI, Joseph M.				/
10. TAKUMI, Roy M.				/
11. FONTAINE, George R.	/			
12. JOHANSON, Aaron Ling	/			
TOTAL (12)	10	—	—	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				