

Honolulu, Hawaii

February 14, 2014

RE: H.B. No. 2309
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2309, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES,"

begs leave to report as follows:

The purpose of this measure is to increase administrative fines for violations of Department of Health laws and rules from a maximum of \$1,000 per day to an unspecified amount.

The Department of Health testified in support of this measure.

The Chamber of Commerce of Hawaii, Hawaii Restaurant Association, and Hawaii Food Industry testified in opposition to this measure.

Your Committee has amended this bill by:

- (1) Inserting \$3,000 as the maximum administrative penalty that can be assessed per day; and
- (2) Providing that the maximum administrative penalty shall be adjusted for inflation on an annual basis, applying the United States Department of Labor Consumer Price Index for All Urban Consumers (CPI-U) for the previous year to determine the adjusted maximum administrative penalty.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2309, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2309, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: <u>HB 2309, HD1</u>	Committee Referral: <u>HLT, JUD, FIN</u>	Date: <u>2/11/14</u>		
<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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. HAR, Sharon E. (VC)	X			
3. BELATTI, Della Au	X			
4. BROWER, Tom	X			
5. CREAGAN, Richard	X			
6. ITO, Ken	X			
7. KAWAKAMI, Derek S.K.	X			
8. LEE, Chris	X			
9. NAKASHIMA, Mark M.	X			
10. TSUJI, Clift	X			
11. WOOLEY, Jessica	X			
12. MCDERMOTT, Bob				X
13. THIELEN, Cynthia				X
TOTAL (13)	11			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
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