

STAND. COM. REP. NO.

633

Honolulu, Hawaii

MAR 02 2017

RE: S.B. No. 21
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 21, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD CARE,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the monetary penalties and establish criminal penalties for violating the laws relating to child care facilities.

Your Committee received testimony in support of this measure from the Hawaii Children's Action Network and seventy-six individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that because many parents must work full-time, infant child care is a necessity for many local families. Through the Department of Human Services, the State regulates and inspects these child care facilities to ensure that all children are safe and healthy. By increasing the fines and establishing criminal penalties for child care facility providers who violate state laws relating to child care facilities, this measure will help to encourage an upkeep of best practices and allow opportunities for legal recourse for parents whose children are not properly cared for.

Your Committee has amended this measure by:



- (1) Reinstating the monetary penalties for any violation of chapter 346, Hawaii Revised Statutes, or any rule adopted pursuant thereto;
- (2) Specifying that the increased monetary penalties apply to any violation of part VIII of chapter 346, Hawaii Revised Statutes, relating to child care facilities, or any rule adopted pursuant thereto;
- (3) Replacing the criminal penalty for violating child care facility laws with language that authorizes the Department of Human Services to refer to the Attorney General or respective county prosecutor any intentional, knowing, or reckless violation of the laws and health and safety rules relating to child care facilities or certain criminal offenses;
- (4) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 21, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 21, S.D. 2.

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


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 21 SD1	Committee Referral: HMS/CPH, JDL	Date: 2/23/17		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Karl Rhoads</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes