

STAND. COM. REP. NO. 2613

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2792
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 2792, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Repeal the limitation on criminal history record checks of household members who provide care for a child whose family receives child care subsidies from the Department of Human Services in a regulated child care setting;
- (2) Clarify the release of investigation information to the public;
- (3) Clarify a child care licensing program's duty to share information it receives, and cooperate with child protective services and law enforcement, when the program receives a report of death or injury of a child; and
- (4) Clarify that the Department of Human Services may take administrative action, judicial action, or both, to enforce child care licensing provisions and increase penalties by making them apply on a daily basis.



Your Committees received testimony in support of this measure from the Department of Human Services, Keiki Injury Prevention Coalition, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and one individual.

Your Committees find that child care providers play an important role in the safety and well-being of a child and that it is of the utmost importance that diligence is used in making criminal history data available to the Department of Human Services on a wider scale. Recent events involving injuries and death have revealed the need for the Department of Human Services to enforce transparent measures for the safety of children in certain child care settings. This measure will ensure that necessary provisions are in place to protect the health, safety, and welfare of children and provide reassurance to their families.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2792, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2792, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Ways and Means,


DONOVAN M. DELA CRUZ, Chair


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i


Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2792, SDI	Committee Referral: HMS, JDC/WAM	Date: 2/23/18		
<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
TANIGUCHI, Brian T. (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: Karl Rhoads				
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-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB2792, SDI	Committee Referral: HMS, JDC/WAM	Date: 2/23/18		
<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
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
GALUTERIA, Brickwood	X			
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KIDANI, Michelle N.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.				X
WAKAI, Glenn				X
TOTAL	8			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes