STAND. COM. REP. NO. 2993

Honolulu, Hawaii

#### MAR 0 4 2022

RE: S.B. No. 2298

S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 2298, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WAGES,"

beg leave to report as follows:

The purpose and intent of this measure is to increase the classification for violations of wages and hours laws to a class C felony.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii State AFL-CIO, and Operating Engineers Local Union No. 3. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that state labor laws should vigorously protect workers from employers who fail to pay their employees. Wage theft accounts for \$15,000,000 stolen each year, which totals more than all stolen money from physical burglaries in the United States combined. This measure will provide a greater deterrence to employers who violate wage and hour laws or other compensation laws, and protect and elevate the State's economically vulnerable workers.

Your Committees note that the state of mind required for a class C felony should be the state of mind currently applicable to a misdemeanor.

Accordingly, your Committees have amended this measure by removing the knowingly state of mind requirement from the class C felony.

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. 2298, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2298, S.D. 2.

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

KARL RHOADS, Chair

2022-2186 SSCR SMA.doc

### The Senate Thirty-First Legislature State of Hawai'i

# Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:						
SB 2298, SDI	LCA,	03-02-22								
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye	Aye (W	R)	Nay	Excused				
RHOADS, Karl (C)		/								
KEOHOKALOLE, Jarrett (VC)		<b>✓</b>								
ACASIO, Laura		<b>✓</b>								
GABBARD, Mike		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \								
KIM, Donna Mercado		/								
LEE, Chris		<b>✓</b>								
FEVELLA, Kurt		<b>✓</b>								
TOTAL		7	_	_	-					
Recommendation:  Adopted  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										

<sup>\*</sup>Only one measure per Record of Votes

## The Senate Thirty-First Legislature State of Hawai'i

## Record of Votes Committee on Ways and Means WAM

Bill / Resolution No.:*	Committee Referral: Date			e: , ,					
SB 2298, SD1	LCA, JDC/WAM 3/2/22								
The Committee is reconsidering its previous decision on this measure.									
If so, then the previous decision was to:									
The Recommendation is:									
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313									
Members		Aye	Aye (WR)	Nay	Excused				
DELA CRUZ, Donovan M. (C)		X							
KEITH-AGARAN, Gilbert S.C. (VC)		X							
INOUYE, Lorraine R.		X							
KANUHA, Dru Mamo		X		-					
KIDANI, Michelle N.		X							
MISALUCHA, Bennette E.		X		<u> </u>					
MORIWAKI, Sharon Y.		X							
SHIMABUKURO, Maile S.L.		X							
TANIGUCHI, Brian T.		_ X							
WAKAI, Glenn		X							
FEVELLA, Kurt		X							
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TOTAL									
Recommendation:  Adopted  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									

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