
A BILL FOR AN ACT

RELATING TO LABOR DATA COLLECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 201-13.8, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§201-13.8 Data or information collection.** (a) The
4 director^[7] of business, economic development, and tourism, in
5 consultation with all affected governmental agencies, shall
6 assess the need for statistics and other information as to the
7 number, characteristics, needs, and movement of people into, out
8 of, or within Hawaii, including residents, migrants, and
9 visitors, and such other information as the director of
10 business, economic development, and tourism may deem necessary,
11 for the purposes of sound economic research and analysis. The
12 director of business, economic development, and tourism shall be
13 responsible for collecting, analyzing, and disseminating such
14 information to governmental agencies on a timely basis, and is
15 authorized to use any appropriate method to collect the
16 information, including but not limited to conducting an entry
17 and exit census or survey of all individuals entering, leaving,



1 or living within the State, and obtaining data or information
2 acquired by other agencies, both public and private. All
3 governmental agencies shall cooperate with and assist the
4 director of business, economic development, and tourism to
5 implement this section.

6 (b) To the extent that it is identifiable to an
7 individual, information obtained by the department or its agents
8 through surveys, questionnaires, or other information gathering
9 efforts shall be held confidential and not disclosed or opened
10 to public inspection, except that such information may be shared
11 with other government agencies as provided in section 92F-19.

12 (c) Public disclosure of information gathered by the
13 department could place businesses at a competitive disadvantage.
14 Consequently, where disclosure would result in the impairment of
15 the department's ability to obtain such information and the
16 frustration of a legitimate government function, the department
17 may withhold from public disclosure competitively sensitive
18 information including:

- 19 (1) Completed survey and questionnaire forms;
- 20 (2) Coding sheets; and
- 21 (3) Database records of such information.



1 (d) The department may collect and analyze information and
2 data regarding the wages and hours of employment in the State
3 from employers. Every employer subject to chapter 371 shall
4 make, keep, and preserve records of the persons employed by the
5 employer and of the wages and hours of employment maintained by
6 the employer, and preserve the records for one year. In
7 addition, every employer shall keep a record of the current
8 physical address of the employer and the North American Industry
9 Classification System code applicable to the employer,
10 regardless of whether the employer uses a professional employer
11 organization or a third-party administrator.

12 For the purpose of collection and analysis, the department
13 shall have access to and the right to copy records of any matter
14 or thing pertinent to this subsection from employers, and every
15 employer shall furnish to the department, on demand, a copy of
16 the records as the department requires and, if the department so
17 requires, upon forms prescribed or approved by the department.

18 [~~d~~] (e) The director of business, economic development,
19 and tourism may adopt [~~necessary~~] rules necessary, pursuant to
20 chapter 91, to administer this section."



1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect on June 30, 3000.

4



Report Title:

Employer Information; Department of Business, Economic
Development, and Tourism

Description:

Requires employers to maintain specified records. Allows the
department of business, economic development, and tourism to
collect and analyze employer information and data. Effective
6/30/3000. (HD1)

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not legislation or evidence of legislative intent.*

