STAND. COM. REP. NO. 2657

Honolulu, Hawaii MAR - 3 2006

RE: S.B. No. 2299

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Housing, to which was referred S.B. No. 2299 entitled:

"A BILL FOR AN ACT RELATING TO INVESTIGATIVE ACCESS FOR UNLICENSED ACTIVITY,"

begs leave to report as follows:

The purpose of this measure is to allow the investigators of the Department of Commerce and Consumer Affairs access to the commercial, public, or residential premises of any business or work site to investigate reports of unlicensed activity.

Testimony in support of this measure was submitted by the Department of Commerce and Consumer Affairs, the Contractors License Board, the Board of Electricians and Plumbers, and Subcontractors Association of Hawaii. No testimony in opposition to this measure was submitted to your Committee.

Section 463B-26.5, Hawaii Revised Statutes, authorizes the Department's investigators to issue citations to persons acting or engaging in business without a license. Your Committee finds that investigative access to business premises and work sites, including areas within gated communities, is a necessary component of the Department's existing statutory authority to investigate and issue citations for unlicensed activity.

Your Committee further finds that the investigative access authorized in this measure is analogous to the access that the Department has to investigate commercial employment and travel agencies and to the authorized access of the Department of Labor

and Industrial Relations to investigate complaints of unlawful employment practices and violations of the wages and compensation law.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2299 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Housing,

## The Senate Twenty-Third Legislature State of Hawaii

## Record of Votes of the Committee on Commerce, Consumer Protection and Housing (Bills and Resolutions)

Measure:* SB 22 99	C P H		Date: 2-23-06		
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments (2312) (2311)			Hold Recommit (2310) (2313)		
Members		Ayes	Ayes(WR)	Nays	Excused
MENOR, Ron (C)					
BAKER, Rosalyn H. (VC)					· ·
ESPERO, Will C.					
IGE, David Y.			:	:	
SAKAMOTO, Norman				: -	
HOGUE, Bob				: -	<u>u Yr</u>
			***:	-	
		<u>:</u>		TALL OF THE PARTY	· <u></u>
### #X* 		· <u> </u>	<u></u>		188 1 1 1888
7.7 H		1 1 1			: : :
		ima 277	<u>.</u> :		·
			·		. : : :
					: 1 · 1 · 1 · 1 · 1 · 1 · 1 · 1 · 1 · 1
TOTAL		5			
Recommendation:  Adopted Not Adopted					
Chair's or Designee's Signature:  Rosaly H Bake					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

<sup>\*</sup>Do not list more than one measure per Record of Votes.