

JAN 25 2006

S.B. NO. 3008

A BILL FOR AN ACT

RELATING TO PUBLIC WORK PROJECTS.

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

1 SECTION 1. The legislature finds that under the current
2 law, a contractor found to be in violation of chapter 104,
3 Hawaii Revised Statutes, is considered to have committed only
4 one violation although violative acts may be occurring or
5 recurring simultaneously on multiple public work projects
6 performed by the same contractor. The purpose of this Act is to
7 ensure that a violation under chapter 104, Hawaii Revised
8 Statutes, is limited to a violation that occurs within a single
9 contract, regardless of the close proximity in time of other
10 violations on simultaneous projects.

11 SECTION 2. Section 104-24, Hawaii Revised Statutes, is
12 amended by amending subsection (d) to read as follows:

13 "(d) A first, second, or third violation refers to each
14 [~~investigation involving one or more projects~~] project in which
15 the department finds that a contractor has failed to comply with
16 this chapter."



1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun, before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect upon its approval.

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Report Title:

Public Work Projects; Hours and Wages; Violations

SB. NO. 3008

Description:

Clarifies that a single violation refers to each separate project where DLIR finds a contractor has failed to comply with chapter 104.

