

STAND. COM. REP. NO.

2040

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 2209
S.D. 1

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

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2209 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC WORKS,"

begs leave to report as follows:

The purpose of this measure is to ensure that workers on public work projects are paid prevailing wages, regardless of whether the public work project was directly built or developed by a governmental contracting agency.

Specifically, the measure requires the Department of Labor and Industrial Relations (Department) to enforce the laws of chapter 104 (wages and hours on public work projects), Hawaii Revised Statutes, and to collect and maintain the certified copies of payrolls for any public work project subject to chapter 104, Hawaii Revised Statutes, that was not directly built or developed by a governmental contracting agency.

Your Committee finds that contractors on certain public work projects have been able to avoid compliance with prevailing wages laws, largely due to a lack of monitoring and enforcement. Your Committee also finds that certain public work projects, including those that are funded through the use of special purpose revenue bonds, lack an identifiable governmental contracting agency. Consequently, contractors on public work projects without a governmental contracting agency are able to avoid compliance with the law, as there is no entity to enforce or monitor compliance with chapter 104, Hawaii Revised Statutes.

SB2209 SD1 SSCR LRB 06-2632.doc



Your Committee has amended the measure by:

- (1) Placing the proposed new language into a separate new section of law within the same chapter rather than inserting it into section 104-2, Hawaii Revised Statutes; and
- (2) Changing the effective date from upon approval to July 1, 2050, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2209, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2209, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Ways and Means
(Bills and Resolutions)

Measure:* SB 2209	Committee Referral: LBR/TGO, WAM	Date: 2/27/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <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	Ayes	Ayes(WR)	Nays	Excused
TANIGUCHI, Brian T. (C)	/			
TSUTSUI, Shan S. (VC)	/			
ENGLISH, J. Kalani	/			
ESPERO, Will	/			
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
INOUE, Lorraine R.	/			
KANNO, Brian	/			
KIM, Donna Mercado	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.	/			
SAKAMOTO, Norman	/			
HEMMINGS, Fred				/
SLOM, Sam			/	
TRIMBLE, Gordon	/			
TOTAL	13	0	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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				

*Do not list more than one measure per Record of Votes.