

Honolulu, Hawaii

MAR 21 2006

RE: H.B. No. 2641
H.D. 1
S.D. 1

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

Sir:

Your Committees on Transportation and Government Operations
and Labor, to which was referred H.B. No. 2641, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS,"

beg leave to report as follows:

The purpose of this measure is to require a construction
project owner who undertakes a construction project to be used by
the State or a county to sign a lease or other agreement that
certifies compliance with the State's public works prevailing wage
law.

Your Committees received testimony in support of this measure
from the Hawaii Carpenters Union. Testimony in opposition was
received from the Department of Labor and Industrial Relations,
Department of Accounting and General Services, Honolulu Department
of Community Services, Hawaii County Office of Housing and
Community Development, and Housing and Community Development
Corporation of Hawaii which withdrew its opposition after
reviewing the proposed SD1 language. Comments were received from
the Associated Builders and Contractors, Inc. - Hawaii Chapter.

Your Committees find that this measure closes an apparent
loophole in current law of whether the requirement of paying
prevailing wages on public works projects applies to construction
projects built by the private sector and leased by the government
according to agreement prior to construction.



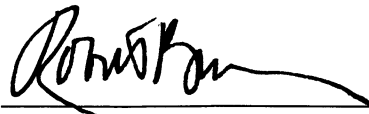
This measure applies to public works that include a construction contract between private persons if more than fifty percent of the assignable square feet of a project is leased or assigned for use by the State, any county, or any agency of the State or any county for its use, whether or not the property is privately owned and under certain specified circumstances. Copies of the lease or other agreement with the contracting governmental entity would be required to be filed with the Department of Labor and Industrial Relations and the Department of Accounting and General Services.

Your Committees have amended this measure by:

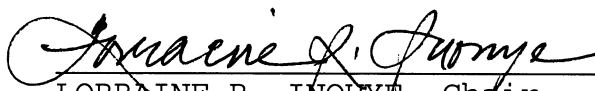
- (1) Deleting its contents and inserting a provision to require a construction project owner who undertakes a construction project to be leased by the State or a county, or to be constructed pursuant to a state or county plan, to sign a lease agreement that certifies compliance with the State's public works prevailing wage law; and
- (2) Changing the effective date to upon approval.

As affirmed by the records of votes of the members of your Committees on Transportation and Government Operations and Labor that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2641, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2641, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Transportation
and Government Operations and
Labor,

for 

BRIAN KANNO, Chair




LORRAINE R. INOUE, Chair



The Senate
Twenty-Third Legislature
State of Hawaii


Record of Votes of the
Committee on Transportation and Government Operations
(Bills and Resolutions)

Measure:* HB 2641 HDI	Committee Referral: TGO LBR, WAM	Date: 3/15/06		
<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
INOUE, Lorraine R. (C)	✓			
ESPERO, Will (VC)	✓			
BAKER, Rosalyn H.				✓
HEE, Clayton				✓
KANNO, Brian	✓			
MENOR, Ron				✓
WHALEN, Paul	W ✓		✓	
TOTAL	3		1	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"></div>				
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.

The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Labor
(Bills and Resolutions)

Measure:* HB 2641 HD1	Committee Referral: T60/LBR, WAM	Date: 3/15/06		
<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
KANNO, Brian (C)	✓			
IHARA, Jr., Les (VC)	✓			
TANIGUCHI, Brian T.				✓
SLOM, Sam			✓	
TOTAL	2	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.