

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 3008

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

Sir:

Your Committee on Labor, to which was referred S.B. No. 3008 entitled:

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

begs leave to report as follows:

The purpose of this measure is to ensure that a violation under Chapter 104, Hawaii Revised Statutes, arises with each separate project rather than each investigation involving one or more projects where the contractor has failed to comply with the law.

Testimony in support of this measure was submitted by the IBEW Local 1186, the Hawaii State AFL-CIO, and the Hawaii Building and Construction Trades Council, AFL-CIO. Testimony in opposition to this measure was submitted by the Department of Labor and Industrial Relations (DLIR) and the Hawaii Chapter of Associated Builders and Contractors, Inc.

Your Committee finds that under the current law a contractor who is found to be in violation of Chapter 104, HRS, is considered to have committed only one violation of the law, although multiple violative acts may be occurring or recurring simultaneously on multiple public work projects performed by the same contractor. Your Committee further finds that due to the lengthy process for conducting and completing investigations of possible violations, contractors who do not comply with the prevailing wages laws are not properly sanctioned or restricted from obtaining contracts for additional public work projects. Your Committee is concerned, particularly during the current construction industry boom, that



contractors be carefully monitored and sanctioned as necessary to provide a level playing field for all contractors and to ensure the payment of prevailing wages to all eligible workers. This measure will prevent contractors who continually violate the law on multiple occasions and on multiple public work projects from circumventing the law and gaining an unfair advantage over complying contractors.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3008 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 Labor,




BRIAN KANNO, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

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

Measure:* SB 3009	Committee Referral: LBR	Date: 2-24-06		
<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 checked="" type="checkbox"/> Pass, unamended (2312) <input 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.