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# A BILL FOR AN ACT

RELATING TO PUBLIC WORKS.

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

1           SECTION 1. Section 104-25, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) The director shall suspend a person or firm as  
4 follows:

5           (1) For a first or second violation, if a person or firm  
6 fails to pay wages found due, any penalty assessed, or  
7 both, the person or firm shall be immediately  
8 suspended from doing any work on any public work of a  
9 governmental contracting agency until all wages and  
10 penalties are paid in full; ~~and~~

11           (2) For a third violation, the suspension shall be as  
12 prescribed in section 104-24(c); provided that, if the  
13 person or firm continues to violate this chapter or  
14 fails to pay wages found due or any penalty assessed,  
15 or both, then the contractor shall immediately be  
16 suspended from doing any work on any public work of a  
17 governmental contracting agency for a mandatory three-  
18 year period. If after the three-year suspension



1 period the wages found due or penalties assessed are  
 2 still unpaid, the suspension shall remain in force  
 3 until payment is made in full[-]; and

4 (3) For interference with or delay of an investigation or  
 5 falsification of records pursuant to section 104-22,  
 6 the contractor shall immediately be suspended from  
 7 doing any work on any public work of a governmental  
 8 contracting agency for a mandatory three-year period."

9 SECTION 2. Statutory material to be repealed is bracketed  
 10 and stricken. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Kirk Caldwell  
Alap M. Sonson  
T. S. ...  
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 JAN 22 2008



**Report Title:**

Suspension; Contractor; Public Works

**Description:**

Amends public works law to require 3-year suspension for any government contractor that delays an investigation or falsifies records.

