

JAN 24 2007

A BILL FOR AN ACT

RELATING TO PUBLIC WORK PROJECTS.

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

1 SECTION 1. Chapter 104, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§104- Public work requirements; private construction
5 contracts. (a) For purposes of this chapter, public work
6 includes a construction contract between private persons if more
7 than fifty per cent of the assignable square feet of a project
8 is leased or assigned for use by the State, any county, or any
9 agency of the State or any county, whether or not the property
10 is privately owned, and either:

11 (1) The lease or other agreement is entered into prior to
12 the construction contract becoming effective; or

13 (2) Construction work is performed according to a plan,
14 specifications, or criteria established by the State,
15 any county, or any agency of the State or any county.

16 (b) Prior to the start of construction on a project, the
17 construction project owner shall sign a lease or other agreement



1 with the State, county, or any agency of the State or county
2 that includes provisions that require compliance with this
3 chapter and certification that prevailing wages shall be paid as
4 provided under this chapter.

5 (c) Copies of the lease or other agreement under
6 subsection (b) shall be filed with the department and the
7 department of accounting and general services. The construction
8 project owner shall submit weekly certified payrolls to the
9 government leasing agency or the governmental agency accepting
10 the construction project for its use, which shall be the
11 governmental contracting agency for the construction project."

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

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17
INTRODUCED BY: *CFM Lee*

Bruno Kolb
Clemente

Report Title:

Prevailing Wages; Indirect Public Works Projects; Compliance

Description:

Requires a construction project owner who undertakes a construction project to be used by the State or a county to sign a lease agreement that certifies compliance with the State's public works prevailing wage law. Requires that copies of the lease agreement be filed with the departments of labor and industrial relations and accounting and general services.

