

Honolulu, Hawaii
Feb 1, 2008

RE: H.B. No. 3029
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 3029 entitled:

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

begs leave to report as follows:

The purpose of this bill is to further clarify requirements for the payment of prevailing wages on public works projects by including, as a public work, construction contracts between private persons using state or county land for commercial, profit-making activity.

The Hawaii Carpenters Union, Hawaii State AFL-CIO, and Laborers' Union Local 368 testified in support of this bill. The Department of Labor and Industrial Relations testified in opposition to this measure.

Chapter 104, Hawaii Revised Statutes (HRS) establishes that prevailing wages be paid on projects meeting criteria that define it as a public work. However, some confusion remains on whether the payment of prevailing wages are required under construction contracts between private persons using state or county land. This measure attempts to clarify this ambiguity by specifying that prevailing wages be paid on these construction contracts if the state or county land is used for commercial, profit-making activity.



Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2059, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3029, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3029, H.D. 1, and be referred to the Committee on Economic Development & Business Concerns.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



ALEX M. SONSON, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 3029	Committee Referral: LAB, EOB, FIN	Date:		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. SONSON, Alex M. (C)	X			
2. NAKASONE, Bob (VC)				X
3. EVANS, Cindy	X			
4. HAR, Sharon E.	X			
5. LEE, Marilyn B.	X			
6. LUKE, Sylvia	X			
7. McKELVEY, Angus L.K.	X			
8. NISHIMOTO, Scott Y.	X			
9. SOUKI, Joseph M.				X
10. TAKAMINE, Dwight Y.	X			
11. TAKUMI, Roy M.	X			
12. MEYER, Colleen Rose			X	
13. PINE, Kimberly Marcos	X			
TOTAL (13)	10		1	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; margin-left: 100px;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				