

STAND. COM. REP. NO. 1302 -08

Honolulu, Hawaii

March 20, 2008

RE: S.B. No. 2779
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 Committees on Labor & Public Employment and Public Safety & Military Affairs, to which was referred S.B. No. 2779 entitled:

"A BILL FOR AN ACT RELATING TO LABOR,"

beg leave to report as follows:

The purpose of this bill is to clarify the type of circumstances that would allow the Governor, by executive order, to suspend the statutes relating to prevailing wages and hours on public works projects.

The Hawaii Carpenters Union testified in support of this bill. The Department of Labor and Industrial Relations and Department of Accounting and General Services opposed this measure.

Currently, the Governor may suspend the payment of prevailing wages on public works projects during a state of emergency. This measure simply attempts to clarify when the Governor may specifically suspend prevailing wages on public works projects and requires the Governor to issue a proclamation for an emergency in order to take this action.

However, your Committees understand that some confusion may exist as to what statutory provisions give the Governor the authority to declare an emergency that would allow for the

SB2779 HD1 HSCR LAB-PSM HMS 2008-3208



suspension of prevailing wages on public works. Accordingly, your Committees have amended this bill by:

- (1) Deleting the specific reference to an emergency declaration made by the Governor subject to the provisions of the Hawaii's Disaster Relief Law;
- (2) Providing that the Governor, in declaring an emergency through the required proclamation, to specify which statutory authority is being used to declare such an emergency;
- (3) Changing its effective date to July 1, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Public Safety & Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2779, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2779, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Labor & Public
Employment and Public Safety &
Military Affairs,



CINDY EVANS, Chair



ALEX M. SONSON, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 1302-08

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.: SB 2779	Committee Referral: LAB/PSM	Date: 3/18/08		
<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)				
PSM Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	✓			
2. HAR, Sharon E. (VC)	Xm			ex ✓
3. LEE, Marilyn B.	✓			
4. LUKE, Sylvia				ex ✓
5. McKELVEY, Angus L.K.				ex ✓
6. NAKASONE, Bob				ex ✓
7. NISHIMOTO, Scott Y.	✓			ex ✓ my mos
8. SONSON, Alex M.	✓			
9. SOUKI, Joseph M.	✓			
10. TAKAMINE, Dwight Y.	✓			
11. TAKUMI, Roy M.	✓			
12. FINNEGAN, Lynn		✓		
13. PINE, Kymberly Marcos				ex ✓
TOTAL (13)	7	1	0	5
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; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: Marilyn B. Lee				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				