

STAND. COM. REP. NO. 2670

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 3087  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 3087, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON  
PUBLIC WORKS PROJECTS,"

begs leave to report as follows:

The purpose of this measure is to allow the Department of  
Labor and Industrial Relations to immediately suspend and begin  
debarment proceedings against contractors that purposely defraud  
the State on a public works project or do not cooperate with the  
Department of Labor and Industrial Relations in determining if  
there has been a violation of the prevailing wage law.

Your Committee received testimony in support on this measure  
from the Department of Labor and Industrial Relations; General  
Contractors Association of Hawaii; Hawaii Building and  
Construction Trades Council, AFL-CIO; Building Industry  
Association of Hawaii (BIA-Hawaii); Laborers' Union Local 368; The  
Pacific Resource Partnership; and one individual.


Providing for suspension as a penalty will create a clear  
line for those who are not willing to comply with the law.  
Chapter 104, Hawaii Revised Statutes, relating to wage and hours  
of employees on public works, is a law imposed to even the playing  
field in bidding for public works jobs and pay a prevailing wage  
to workers. Your Committee finds that it is not unreasonable to  
impose a three-year suspension for those who are not willing to  
comply with the law.

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As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3087, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,




BRIAN T. TANIGUCHI, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3087 JDI	TSG, JDL	2/25/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	/			
HEE, Clayton (VC)				/
GABBARD, Mike	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.				/
SLOM, Sam	/			
<b>TOTAL</b>	4			2
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	

\*Only one measure per Record of Votes