

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1125
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 1125, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROCUREMENT,"

begs leave to report as follows:

The purpose of this measure is to require an offeror for a construction contract subject to chapter 103D, Hawaii Revised Statutes, to:

- (1) Be a party to an apprenticeship agreement that is registered with the Department of Labor and Industrial Relations at the time of general bidding; and
- (2) Subject a contractor to sanctions for failure to comply with apprenticeship agreement.

This measure provides that, at the time of general bidding, an offeror for a construction contract with a total estimated contract value of \$250,000 or more shall be a party to the apprenticeship agreement.

Your Committee finds that a well-trained, construction-trades work force is critical to state and county public works, which are conducted on a regular basis. The safe, efficient, and economical construction of public works will be threatened if there is a lack of well-trained construction workers. By providing for the use of apprentices on public works projects, state and county government can create opportunities, in partnership with private industries,



for training that will help ensure a well-trained work force for future public works construction.

Your Committee has amended this measure by:

- (1) Deleting references to an apprenticeship since this provision is contained in S.B. No. 687, S.D. 2;
- (2) Adding the provisions of S.B. No. 687, S.D. 1, relating to responsible construction contractor law, without reference to apprenticeship;
- (3) Adding a bid preference for a contractor on public works project who is a party to an apprenticeship agreement registered with the Department of Labor and Industrial Relations;
- (4) Requiring a contractor or subcontractor on public works projects to classify all workers as employees; and
- (5) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1125, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1125, S.D. 2.

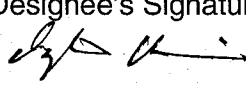
Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1125 SDI	LBR, JGO	2/27/09		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" 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)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓		N	
NISHIHARA, Clarence K.			N	✓
SLOM, Sam			✓	
TOTAL	3	0	1	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