

STAND. COM. REP. NO. 785

Honolulu, Hawaii

March 8, 2011

RE: H.B. No. 1434
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1434, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS,"

begs leave to report as follows:

The purpose of this bill, as received by your Committee, is to specify that:

- (1) A first, second, third, fourth, fifth, or sixth violation refers to each project in which the Department of Labor and Industrial Relations (DLIR) finds that a contractor has failed to comply with the prevailing wage law; and
- (2) A contractor who commits a violation has a right to file a written notice of appeal, which shall be an affirmative defense that the violation occurred unintentionally.

International Longshore and Warehouse Union Local 142 and the International Brotherhood of Electrical Workers Local 1260 testified in support of this bill. The General Contractors Association of Hawaii opposed this measure. DLIR, the International Brotherhood of Electrical Workers Local Union 1186, and Hawaii State AFL-CIO submitted comments.

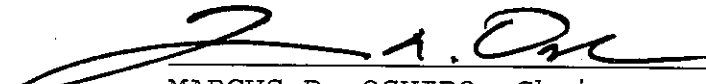
HB1434 HD2 HSCR FIN HMS 2011-2670



Upon consideration, your Committee has amended this bill by deleting its substance and inserting the contents of H.B. No. 1134, which specifies that a first, second, or third violation refers to each project in which DLIR finds that a contractor has failed to comply with the prevailing wage law.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1434, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1434, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



