A BILL FOR AN ACT

RELATING TO PUBLIC WORKS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The legislature finds that the State of Hawaii 2 spends hundreds of millions of dollars each year on capital 3 improvement projects. These projects often serve a dual 4 purpose. While many of these projects are designed to improve 5 existing infrastructure through repair and renovation, other 6 projects include the building of new infrastructure needed to 7 keep up with an increasingly modern and global society that 8 continues to grow. During difficult economic times, capital 9 improvement projects help to stimulate a lackluster economy by 10 providing employment opportunities and increasing cash flow into 11 the economy. 12 At times, however, public construction projects face issues 13 involving adherence to wage and hour laws. With the large
- amount of capital the State of Hawaii spends on various projects
 annually, it is imperative that Hawaii's wage and hour law be
 strictly enforced on public construction projects.

1	The	purpose of this Act is to ensure that Hawaii's wage and
2	hour law	is strictly enforced on public construction projects
3	by:	
4	(1)	Establishing the wage and hour for public works
5		projects special fund to assist the department of
6		labor and industrial relations in enforcing Hawaii's
7		wage and hour law on public construction projects;
8 .	(2)	Requiring state departments that receive
9		appropriations of capital improvement project funds to
10		transfer a percentage of those appropriations into the
11		wage and hour for public works projects special fund;
12	(3)	Requiring the department of labor and industrial
13		relations to provide an annual status report of the
14		wage and hour for public works projects special fund
15.		to the legislature; and
16	(4)	Creating additional labor law enforcement specialist
17		III positions within the department of labor and
18		industrial relations to enforce Hawaii's wage and hour
19		law and appropriating funds for the positions.
20	SECT	ION 2. Chapter 371, Hawaii Revised Statutes, is
21	amended b	y adding a new section to be appropriately designated

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and to read as follows:

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- 1 Wage and hour for public works projects special "§371fund. (a) There is established in the state treasury a wage 2 3 and hour for public works projects special fund. 4 (b) Any state department that receives an appropriation of 5 funds for capital improvement projects shall transfer three one-6 hundredths of one per cent of all state fund appropriations made 7 available for capital improvements designated for the 8 construction cost element into the wage and hour for public 9 works projects special fund; provided that this transfer shall 10 apply only to capital improvement project appropriations that 11 are designated for the construction or renovation of state buildings. The department shall not assess any fees or any 12 13 other charges on any state department depositing moneys into the 14 wage and hour for public works projects special fund. 15 (c) The department shall expend moneys in the wage and hour for public works projects special fund to enforce the wage 16 and hour law on public works projects. **17** 18 (d) The department shall provide an annual report to the 19 legislature no later than twenty days prior to the convening of 20 each regular session that provides the status of the wage and 21 hour for public works projects special fund, including but not
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limited to:

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1	(1)	The amount of funds deposited into the special fund;	
2	(2)	The amount of expenditures from the special fund;	
3	<u>(3)</u>	The state departments that deposited moneys into the	
4		special fund; and	
5	(4)	Any other activities of the special fund."	
6	SECTION 3. There is appropriated out of the general		
7	revenues of the State of Hawaii the sum of \$150,000 or so much		
8	thereof as may be necessary for fiscal year 2012-2013 for the		
9	establishment of three full-time equivalent (3.00 FTE) permanent		
10	labor law enforcement specialist III positions in the wage		
11	standards division of the department of labor and industrial		
12	relations to enforce the wage and hour laws for employees on		
13	public works projects.		
14	The sum appropriated shall be expended by the department of		
15	labor and industrial relations for the purposes of this Act.		
16	SECT	ION 4. New statutory material is underscored.	
17	SECT	ION 5. This Act shall take effect on July 1, 2012.	
18		$\mathcal{P} \mathcal{P} = \mathcal{P} \mathcal{P} \mathcal{P} \mathcal{P} \mathcal{P} \mathcal{P} \mathcal{P} \mathcal{P}$	
	Klaha	INTRODUCED BY:	

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H.B. NO. 2766

Report Title:

Public Works; Wage and Hour Law; Special Fund; Appropriation

Description:

Establishes the Wage and Hour for Public Works Projects Special Fund and establishes and funds additional labor law enforcement specialist positions to assist the enforcement of Hawaii's wage and hour law on public construction projects. Specifies a funding mechanism for the special fund and requires an annual report. Effective July 1, 2012.

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