STAND. COM. REP. NO. 669 -12

Honolulu, Hawaii March 1, 2012

RE: H.B. No. 1969 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 1969, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTS,"

beg leave to report as follows:

The purpose of this measure is to provide for the prompt payment of subcontractors and materialmen on government and nongovernment projects by:

- Shortening the time in which subcontractors are to receive progress and final payments from contractors on government and non-government construction projects; and
- (2) Establishing interest penalties for contractors who fail to make payment to subcontractors within a specified period of time.

The Ironworkers Stabilization Fund and the Hawaii Building and Construction Trades Council, AFL-CIO testified in support of this measure. The Subcontractors Association of Hawaii testified in support of the intent of this measure. The Contractors License Board, Department of Design and Construction of the City and County of Honolulu, Building Industry Association of Hawaii, and General Contractors Association testified in opposition to the measure.



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As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1969, H.D. 1, and recommend that it pass Third Reading.

> Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

Kal Rhoad

GILBERT KEITH-AGARAN, Chair

ROPETT N. HERKES, Chair



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State of Hawaii House of Representatives The Twenty-sixth Legislature

## **Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.: HB [969 HD]	ERB, CPC	/JUD Date	122/18	2					
The committee is reconsidering its previous decision on the measure.									
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold    Pass short form bill with HD to recommit for future public hearing (recommit)									
CPC Members	Ayes	Ayes (WR)	Nays	Excused					
1. HERKES, Robert N. (C)	r								
2. YAMANE, Ryan I. (VC)									
3. BROWER, Tom	V								
4. CABANILLA, Rida T.R.									
5. CARROLL, Mele									
6. COFFMAN, Denny				V					
7. ITO, Ken									
8. KEITH-AGARAN, Gilbert S.C.									
9. LUKE, Sylvia									
10. McKELVEY, Angus L.K.	V								
11. SOUKI, Joseph M.	V.								
12. TSUJI, Clift	V								
13. CHING, Corinne W.L.				•					
14. MARUMOTO, Barbara C. 🧳		$\checkmark$							
15. THIELEN, Cynthia -			V	•					
TOTAL (15)	11	2	1	1					
The recommendation is: Adopted If joint referral, did not support recommendation.									
Vice Chair's or designee's signature:									
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO									

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## State of Hawaii House of Representatives The Twenty-sixth Legislature

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1969, HD1		ittee Referral: Date: 2/22/12 ERB, CPC/JUD 2/22/12						
The committee is reconsidering its previous decision on the measure.								
The recommendation is to:  Image: Application of the problem of th								
JUD Members		Ayes	Ayes (W	(R)	Nays	Excused		
1. KEITH-AGARAN, Gilbert S.C. (	(C)							
2. RHOADS, Karl (VC)		/						
3. BROWER, Tom		$\checkmark$						
4. CABANILLA, Rida T.R.		/ .						
5. CARROLL, Mele								
6. COFFMAN, Denny						/		
7. HERKES, Robert N.		~						
8. ITO, Ken		/						
9. LUKE, Sylvia		/						
10. McKELVEY, Angus L.K.		/						
11. SOUKI, Joseph M.		/						
12. TSUJI, Clift								
13. FONTAINE, George R.			/					
14. MARUMOTO, Barbara C.								
15. THIELEN, Cynthia					$\overline{}$			
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TOTAL (15)		11	2		1	1		
The recommendation is:  X  Adopted    If joint referral,								
Vice Chair's or designee's signature: PalMonL								
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