
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 spends
2 hundreds of millions of dollars each year on capital improvement
3 projects. These projects often serve a dual purpose. While
4 many of these projects are designed to improve existing
5 infrastructure through repair and renovation, other projects
6 include the building of new infrastructure needed to keep up
7 with an increasingly modern and global society that continues to
8 grow. During difficult economic times, capital improvement
9 projects help to stimulate a lackluster economy by providing
10 employment opportunities and increasing the flow of cash into
11 the economy.

12 At times, however, public construction projects face issues
13 involving adherence to wage and hour laws. With the large
14 amount of capital that the State spends on various projects
15 annually, it is imperative that Hawaii's wage and hour law be
16 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 funds designated for the
10 construction cost element for certain capital
11 improvement projects to transfer a percentage of those
12 appropriations into the wage and hour for public works
13 projects special fund;

14 (3) Requiring the department of labor and industrial
15 relations to provide an annual status report of the
16 wage and hour for public works projects special fund
17 to the legislature; and

18 (4) Creating additional labor law enforcement specialist
19 IV positions within the department of labor and
20 industrial relations to enforce Hawaii's wage and hour
21 law and appropriating funds for the positions.



1 SECTION 2. Chapter 371, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§371- Wage and hour for public works projects special
5 fund. (a) There is established in the state treasury the wage
6 and hour for public works projects special fund.

7 (b) Except the department of transportation's airports
8 division, any state department that receives an appropriation of
9 state funds for capital improvement projects shall transfer 0.1
10 per cent of all state fund appropriations made available for
11 capital improvements designated for the construction cost
12 element into the wage and hour for public works projects special
13 fund; provided that this transfer shall apply only to capital
14 improvement project appropriations that are designated for the
15 construction or renovation of state buildings. The department
16 shall not assess any fees or any other charges on any state
17 department depositing moneys into the wage and hour for public
18 works projects special fund.

19 (c) The department shall expend moneys in the wage and
20 hour for public works projects special fund to enforce the
21 provisions of chapter 104 on public works projects, including



1 but not limited to creating positions, hiring, and training
2 personnel.

3 (d) The department shall provide an annual report to the
4 legislature no later than twenty days prior to the convening of
5 each regular session that provides the status of the wage and
6 hour for public works projects special fund, including but not
7 limited to:

8 (1) The amount of funds deposited into the special fund;

9 (2) The amount of expenditures from the special fund;

10 (3) The state departments that deposited moneys into the
11 special fund; and

12 (4) Any other activities of the special fund."

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so much
15 thereof as may be necessary for fiscal year 2014-2015 for the
16 establishment of two full-time equivalent (2.00 FTE) permanent
17 labor law enforcement specialist IV positions in the wage
18 standards division of the department of labor and industrial
19 relations to enforce chapter 104, Hawaii Revised Statutes, for
20 employees on public works projects.

21 The sum appropriated shall be expended by the department of
22 labor and industrial relations for the purposes of this Act.



- 1 SECTION 4. New statutory material is underscored.
- 2 SECTION 5. This Act shall take effect on July 1, 2114.



Report Title:

Public Works; Wage and Hour Law; Appropriation

Description:

Establishes the Wage and Hour for Public Works Projects Special Fund to fund enforcement of wage and hour laws for public works projects. Requires state departments, except DOT Airports Division, to transfer a percentage of CIP appropriations to the special fund. Establishes and funds two additional labor law enforcement specialist IV positions in DLIR. Effective July 1, 2114. (SB3039 HD1)

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