



From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: Lardizabal@local368.org
Subject: Submitted testimony for HB2413 on Mar 28, 2014 09:25AM
Date: Thursday, March 27, 2014 6:32:54 PM

HB2413

Submitted on: 3/27/2014

Testimony for WAM on Mar 28, 2014 09:25AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Al Lardizabal	Laborers Union Local 368	Support	Yes

Comments: Chair Ige; Vice Chair Kidani and members of WAM: HB2413 HD1 SD1 will clarify that prevailing wages apply to public-private partnerships Thank you for the opportunity to submit this testimony. Al Lardizabal Government Relations

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The Senate
The Twenty Seventh Legislature
Committee Ways and Means
March 28, 2014, 9:25 a.m.

Statement of the Hawaii Regional Council of Carpenters on
H.B. 2413 HD 1, SD1 Relating to Labor

The Hawaii Regional Council of Carpenters believes the Bill should be amended to be effective upon passage, as the clarification made in HB 2413 is timely, and does not expand the coverage of HRS Chapter 104.

As State and county governments are necessarily exploring new ways to finance public works, the law should be clarified accordingly. Public-private partnerships are one means of financing being pursued, and may be structured in such a way that a government plan or interest is served, utilizing government resources, but the contracting for construction services may be done by a private partner. Making a proactive clarification as proposed in the Bill can serve to avoid misunderstandings and/or legal disagreement later.

While it can be said that all construction described above is covered by current language in Chapter 104, clarification is worthwhile. In 2006 the legislature clarified a Chapter 104 administrative rule and put that language in statute, applying to a private party contracting for construction services under conditions other than that of H.B. 2413. The legislature later clarified that Chapter 104 prevailing wages apply to the Certificate of Participation construction of public schools by a private developer. In both cases clarifications were put in place before rather than after a problem emerged.

Chapter 104 prevailing wage requirements are intended to level the playing field for bidders on public works, and prevent our own tax dollars from pushing wages down in our State. It is intended to apply to any construction or renovation work undertaken through the use of State or county resources.

Thank you for considering our support for H.B. 2413.

IRON WORKERS STABILIZATION FUND

March 28, 2014

Sen. David Ige, Chair
Committee on Ways and Means
Senate
Room 211 – State Capitol
Honolulu, HI 96813



Re: HB2413 HD1 SD1, Relating to Labor


Aloha Chair Ige & Honorable Members:

The Hawai'i Iron Workers Stabilization Fund is in **support** of HB2413 HD1 SD1, which applies provisions relating to prevailing wages for public construction work to public-private partnerships. This bill adds public-private partnerships into the definition of a governmental contracting agency into the "Little Davis-Bacon" state law, specifically Chapter 104 Section 2, Hawaii Revised Statutes. The bill ensures that prevailing wages are paid to workers on projects done through *any* public-private partnership. This bill will preempt future legal disagreements on whether public-private partnerships are required to pay prevailing wages on construction projects.

We support the hard working men and women of our state who deserve to be compensated fairly for their labor.

Thank you for this opportunity to submit testimony.

Sincerely,


T. George Paris, Director