STAND. COM. REP. NO. **3217** 

Honolulu, Hawaii

APR - 3 2006

RE: H.B. No. 2691 S.D. 2

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 2691, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PREVAILING WAGES,"

begs leave to report as follows:

The purpose of this measure is to allow civil actions under chapter 104, Hawaii Revised Statutes, for injunctive and other relief to be instituted by a joint labor-management committee established pursuant to the federal Labor Management Cooperation Act of 1978.

Your Committee received testimony in support of this measure from the Hawaii Carpenters Union. The Department of Labor and Industrial Relations submitted testimony in opposition.

Your Committee finds that the current law allows laborers and mechanics to bring suit to recover wages or overtime compensation but fails to contemplate situations where the aggrieved individual is essentially prevented from seeking redress because of lack of information and resources, the fear of retaliation, or the inability to obtain injunctive relief against an employer who is continuously in violation of the law. This measure provides an additional remedy and safeguard and will assist in ensuring that prevailing wage laws are followed.

Your Committee has amended this measure to insert a defective effective date to promote further discussion on this matter.

2006-2350 SSCR SMA.doc

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2691, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2691, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

## The Senate Twenty-Third Legislature State of Hawaii

## Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:*	Committee Referral:		Date:	Date:		
HB 2691 SD1	LBR, JHW			3-30-04		
The committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:						
The Recommendation is to:						
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)						
Members		Ayes	Ayes(WR)	Nays	Excused	
HANABUSA, Colleen (C)						
HEE, Clayton (VC)						
CHUN OAKLAND, Suzanne		<i>'</i> .				
ENGLISH, J. Kalani						
IHARA, Jr., Les		/				
WHALEN, Paul						
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Company   Comp						
TOTAL	,	5	0	ł	0	
Recommendation:  Adopted  Not Adopted						
Chair's or Designee's Signature:						
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy						

<sup>\*</sup>Do <u>not</u> list more than one measure per Record of Votes.