

ACT 46

H.B. NO. 2867

A Bill for an Act Relating to Employment on Public Works Projects.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 104-23, Hawaii Revised Statutes, is amended to read as follows:

“§104-23 Notification of violation. (a) When the department, either as a result of a report by a contracting agency or as a result of the department’s own investigation, finds that a violation of this chapter or of the terms of the contract subject to this chapter has been committed, the department shall issue a notification of violation to the contractor or subcontractor involved.

(b) A notification of violation shall be final and conclusive twenty days after a copy was mailed to the violator, unless within the twenty-day period the violator files a written notice of appeal with the director.

(c) A hearing on the written notice of appeal shall be held by a hearings officer appointed by the director in conformance with chapter 91.

Hearings on appeal shall be held within sixty days of the notice of appeal and a decision shall be rendered by the [director] hearings officer within sixty days after the conclusion of the hearing, stating the findings of fact and conclusions of law. The [director] hearings officer may extend the due date for decision for good cause; provided that all parties agree.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 29, 1998.)