

ACT 16

H.B. NO. 1676

A Bill for an Act Relating to Public Works.

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

SECTION 1. Section 104-2, Hawaii Revised Statutes, is amended by amending subsection (h) to read as follows:

“(h) When ~~the~~:

- (1) The department of budget and finance enters a project agreement with a project party, as those terms are defined in chapter 39A, to finance or refinance a project with the proceeds of special purpose revenue bonds~~[, and such]~~;
- (2) The project party has entered into a collective bargaining agreement with a bona fide labor union governing the project party’s workforce~~]; and~~
- (3) The collective bargaining agreement has been properly submitted to the director under section 104-34.

the terms of ~~[that]~~ the collective bargaining agreement and associated provisions shall be deemed the prevailing wages and terms serving as the basis of compliance with this ~~[section]~~ chapter for work on the project by the project party's workforce~~;~~; provided~~[- however,]~~ that this subsection does not affect the director's enforcement powers contained in subsection (g)."

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2009.

(Vetoed by Governor and veto overridden by Legislature on July 15, 2009.)