

Honolulu, Hawaii

April 30, 2015

RE: H.B. No. 391  
H.D. 1  
S.D. 1  
C.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 391, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WAGES AND HOURS ON PUBLIC WORKS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend Hawaii's prevailing wage law to ensure that laborers and mechanics working on public works projects receive fair wages. Specifically, this measure:

- (1) Allows overtime compensation to exceed time and one-half and specifies that if the Department of Labor and Industrial Relations determines that a prevailing wage is defined by collective bargaining, overtime will be at rates set by the applicable collective bargaining agreement; and



- (2) Specifies that overtime compensation and other premium pay rates are those rates specified by an applicable collective bargaining agreement when the basic hourly rate is established by a collective bargaining agreement.

Your Committee on Conference has amended this measure by:

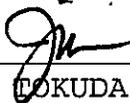
- (1) Including a savings clause to preserve any rights and duties that have matured, penalties that were incurred, and proceedings that were begun before the effective date of this measure; and
- (2) Changing the effective date to July 1, 2015.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 391, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 391, H.D. 1, S.D. 1, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

  
GILBERT S.C. KEITH-AGARAN,  
Chair

  
JILL N. TOKUDA, Co-Chair

ON THE PART OF THE HOUSE

  
MARK M. NAKASHIMA, Co-Chair

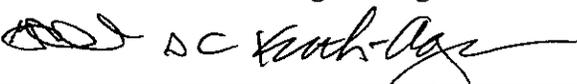
  
JARRETT KEOHOKALOLE,  
Co-Chair



Hawaii State Legislature

CCR 34

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>HB 391, HD 1, SD 1</b>					Date/Time: <u>4/29/15</u> <u>10:07 AM</u>						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
KEITH-AGARAN, Gilbert S.C., Chr.		X				NAKASHIMA, Mark M., Co-Chr.		X			
TOKUDA, Jill N., Co-Chr.		X				KEOHOKALOLE, Jarrett, Co-Chr.		X			
GABBARD, Mike					X	AQUINO, Henry J.C.					X
IHARA, Les, Jr.		X				MCDERMOTT, Bob		X			
SHIMABUKURO, Maile S.L.		X									
<b>TOTAL</b>		4	0	0	1	<b>TOTAL</b>		3	0	0	1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted						House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
Senate Lead Chair's or Designee's Signature: 						House Lead Chair's or Designee's Signature: 					
<b>Distribution:</b>		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>		