
A BILL FOR AN ACT

RELATING TO CONTRACTORS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 104-22, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§104-22 Investigation; penalties.** (a) The department
4 may conduct investigations to determine compliance with this
5 chapter. The department may enter the job site, examine records
6 of any contractor, either during or after the performance of any
7 contract, or subpoena the records. The department may also
8 interview employees during working hours on the job.

9 (b) If any contractor interferes with or delays any
10 investigation by the department, the governmental contracting
11 agency, on receipt of written notice from the director of the
12 interference or delay, shall withhold from the contractor all
13 further payments until the director has notified the
14 governmental contracting agency in writing that the interference
15 or delay has ceased. Interference or delay includes failure to
16 provide requested records under section 104-3; failure to allow
17 employees to be interviewed during working hours on the job; and



1 falsification of records required under this chapter. The
2 department shall assess a penalty of \$10,000 per project for
3 interference or delay. For each day thereafter that the
4 employer fails to cooperate, the director shall assess a penalty
5 of \$1,000 per project.

6 (c) The department may provide training for and deputize
7 no fewer than _____ persons to serve as volunteer investigators
8 to conduct investigations pursuant to this section. Any
9 volunteer investigator deputized by the department who, in good
10 faith, provides services pursuant to this chapter shall not be
11 liable in any civil action for damages as a result of any acts
12 or omissions in conducting or participating in an investigation;
13 provided that the skill and care given is that ordinarily
14 required and exercised by an investigator."

15 SECTION 2. The department of labor and industrial
16 relations shall submit reports of its findings and
17 recommendations, including any proposed legislation, to the
18 legislature not less than twenty days prior to the convening of
19 the regular sessions of 2016, 2017, and 2018, on the
20 effectiveness of the training and deputizing of the volunteer
21 investigators within public work projects.



1 SECTION 3. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so much
3 thereof as may be necessary for fiscal year 2015-2016 and the
4 same sum or so much thereof as may be necessary for fiscal year
5 2016-2017 for the training and deputizing of volunteer
6 investigators investigating in public work projects.

7 The sums appropriated shall be expended by the department
8 of labor and industrial relations for the purposes of this Act.

9 SECTION 4. New statutory material is underscored.

10 SECTION 5. This Act shall take effect on July 1, 2015.



Report Title:

Volunteer Investigators; Public Works Projects; Appropriations

Description:

Allows the Department of Labor and Industrial Relations to train and deputize volunteer investigators investigating public work projects. Requires the Department of Labor and Industrial Relations to submit reports. Appropriates moneys. (HB713 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

