

MAR 12 2021

SENATE CONCURRENT RESOLUTION

REQUESTING THE DIRECTOR OF THE DEPARTMENT OF COMMERCE AND
CONSUMER AFFAIRS AND THE CONTRACTORS LICENSE BOARD TO
ENSURE THAT THE CONTRACTORS LICENSE BOARD INCLUDES AT LEAST
TWO MEMBERS WITH EXPERTISE IN SPECIALTY STRUCTURAL
CONTRACTING.

1 WHEREAS, the Legislature finds that construction industry
2 review boards, such as the Contractors License Board, are
3 necessary to protect the welfare and safety of the general
4 public; and

5
6 WHEREAS, the Legislature has also established, for example,
7 the special Board of Electricians and Plumbers to ensure that
8 the licensure for these specialized trades are reviewed and
9 administered appropriately; and

10
11 WHEREAS, a General Engineering Contractor or General
12 Building Contractor must ensure that the subcontractors and
13 workers assigned to install and erect specialized steel
14 structures, like those performing welding services, have
15 sufficient knowledge and experience to maintain a safe work
16 environment and make certain the installation and construction
17 of the specialized structure is done properly; and

18
19 WHEREAS, General Engineering Contractor licenses and
20 General Building Contractor licenses issued by the Contractors
21 License Board automatically hold a number of specialty
22 classifications without requiring further examination or payment
23 of additional fees, a number of which may greatly influence the
24 structural integrity of a building, namely:

- 25
26 (1) C-6 Carpentry Framing;
27
28 (2) C-31 Masonry;
29
30 (3) C-32 Ornamental, Guardrail, and Fencing;



- 1
- 2 (4) C-35 Pile Driving; Pile and Caisson Drilling, and
- 3 Foundation;
- 4
- 5 (5) C-38 Post Tensioning;
- 6
- 7 (6) C-41 Reinforcing Steel;
- 8
- 9 (7) C-48 Structural Steel; and
- 10
- 11 (8) C-56 Welding; and
- 12

13 WHEREAS, Specialty Contractor licenses, however, do not
 14 automatically include additional specialty classifications but
 15 are instead issued according to nearly one hundred different
 16 subclassifications that require special skills, or to those
 17 whose principal contracting business involves the use of
 18 specialized building trades or crafts, including the eight
 19 structure-related subclassifications identified above; and

20
 21 WHEREAS, existing law requires that the Contractors License
 22 Board include five Specialty Contractors in its membership, but
 23 does not require diversity among the many specialty
 24 subclassifications; and

25
 26 WHEREAS, the composition of members on the Contractors
 27 License Board should include at least two members who are
 28 Specialty Contractors with experience in at least one of the
 29 eight structural trades identified above; and

30
 31 WHEREAS, the Legislature finds that the public's health,
 32 safety, and welfare may be unduly put at risk without
 33 specialized structural contracting expertise being represented
 34 on the Contractors License Board; now, therefore,

35
 36 BE IT RESOLVED by the Senate of the Thirty-first
 37 Legislature of the State of Hawaii, Regular Session of 2021, the
 38 House of Representatives concurring, that the Director of the
 39 Department of Commerce and Consumer Affairs and the Contractors
 40 License Board are requested to ensure that the Contractors
 41 License Board includes, at all times, at least two Specialty
 42 Contractor members licensed in at least one of the eight



1 structural contracting subclassifications listed above; provided
2 that the license was not issued automatically as a result of
3 holding a General Engineering Contractor license or a General
4 Building Contractor license; and

5
6 BE IT FURTHER RESOLVED that the Department of Commerce and
7 Consumer Affairs in conjunction with the Contractors License
8 Board is requested to consider:

- 9
- 10 (1) The feasibility of establishing an advisory committee
11 focused on structural contracting issues within the
12 existing Board composition to enhance sensitivity and
13 attention given to structural contracting issues;
 - 14
15 (2) Whether the Contractors License Board's current
16 administrative rules that allow for the automatic
17 issuance of certain specialty licenses enumerated
18 above for General Engineering Contractors and General
19 Building Contractors, without further examination or
20 fees, are prudent and sufficiently ensure the safety
21 and welfare of the public; and
 - 22
23 (3) Consulting with relevant stakeholders, including
24 construction companies and unions, contractors, Hawaii
25 Building and Construction Trades Council, Board of
26 Electricians and Plumbers, and Structural Engineers
27 Association of Hawaii to determine whether the
28 Contractors License Board's licensing practices with
29 respect to structural contracting are sufficient to
30 ensure the safety and welfare of the public; and

31
32 BE IT FURTHER RESOLVED that the Department of Commerce and
33 Consumer Affairs in conjunction with the Contractors License
34 Board is requested to submit a report on their findings,
35 including any proposed legislation, to the Legislature no later
36 than twenty days prior to the convening of the Regular Session
37 of 2022; and

38
39 BE IT FURTHER RESOLVED that certified copies of this
40 Concurrent Resolution be transmitted to the Director of Commerce
41



