

Honolulu, Hawaii

Feb 3, 2010

RE: H.B. No. 2102

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2102 entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTORS,"

begs leave to report as follows:

The purpose of this bill is to promote public safety and facilitate compliance with state law in the building industry by requiring that licensed individuals performing electrical and plumbing work on a construction job site visibly display their license while on the job site.

The Hawaii State AFL-CIO; Hawaii Building and Construction Trades Council, AFL-CIO; International Brotherhood of Electrical Workers, Local Union 1186; Electrical Contractor's Association of Hawaii; Hawaii Electricians Training Fund; and Plumbing & Mechanical Contractors Association of Hawaii testified in support of this bill. The Contractors License Board supported the intent of this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs (DCCA) supported this bill with amendments.

Current Hawaii law requires that individuals practicing in the plumbing and electrical trades pass an examination to be eligible for licensure. This is due to the highly skilled, and at times dangerous, nature of these trades. Current law also requires that at least half of all individuals performing electrical or plumbing work employed on a construction job site by



an electrical or plumbing contractor are licensed to practice that particular trade.

However, licensed workers are not required to display their license on their persons while working. Because of this, homeowners, inspectors, and government agencies are having difficulty identifying and distinguishing licensed workers from unlicensed workers. This makes the task of determining compliance with the ratio of licensed to unlicensed tradesmen performing electrical or plumbing work on a construction job site requirement arduous.

Your Committee notes that elevator mechanics are the only additional trade that would be involved in the construction industry that requires licensure. As such, the identification requirements for plumbers and electricians contained in this measure should also be made applicable to these individuals.

Your Committee has amended this bill by:

- (1) Extending the license identification requirement to elevator mechanics;
- (2) Specifying that the license displayed shall be one issued by DCCA;
- (3) Stipulating that any licensed individual not wearing their license at the time of a site inspection will not be counted as a licensee for purposes of determining compliance with the ratio requirements of licensed versus unlicensed individuals on a job site; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2102, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2102, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



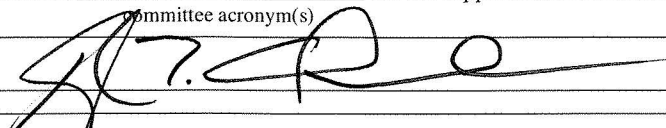
KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 81-10

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 2102	Committee Referral: LAB, CPC	Date: 1-26-10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. AWANA, Karen Leinani	/			
5. HANOHANO, Faye P.	/			
6. KEITH-AGARAN, Gilbert S.C.	/			
7. LEE, Marilyn B.	/			
8. NAKASHIMA, Mark M.	/			
9. SAIKI, Scott K.	/			
10. SOUKI, Joseph M.	/			
11. TAKUMI, Roy M.	/			
12. PINE, Kymberly Marcos	/			
TOTAL (12)	12			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				