

LATE



A'ohē hana nūi ka alu'ia
"No Task Is Too Big When Done Together By All"

HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO

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KIKA G. BUKOSKI
Executive Director

February 19, 2014

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Workers United Union of Roofers
Local 221

Honorable Senator Rosalyn H. Baker, Chair
Honorable Representative Brian T. Taniguchi, Vice Chair
Members of the Committee on Commerce and Consumer Protection
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: **COMMENTS ON SB2613 RELATING TO CONTRACTORS**
Hearing: Thursday, February 20, 2014, 10:00 a.m. Conference Room 229

Honorable Chair, Vice Chair and Committee Members;

The Hawaii Building & Construction Trades Council, AFL-CIO is a chartered member of the Building and Construction Trades Department, AFL-CIO first organized in 1908 and comprised of 16 out of 17 construction trade unions with 386 state, local and provincial councils in the United States and Canada and an estimated 15,000 members locally. Our primary mission is to provide employment opportunities and living wages for many of Hawaii's working men and women in the construction industry.

The Council Supports the Intent of SB2613, which defines "incidental and supplemental" work for the purposes of determining licensing requirements for general engineering and general building contractors.

SB2613 attempts to address ongoing concerns that have been exacerbated as a result of a recent Final Order Upon Remand issued by the Contractor's Licensing Board in response to an opinion issued by the Hawaii Supreme Court, See, District Council 50 v. Lopez, (2013) which determined that the Board's interpretation of "incidental and supplemental" was plainly erroneous under HRS section 444-8(c) as it pertains to the excessively expansive application of the C-5 specialty contractor's license.

Questions as to consideration given to the cost and extent of the work involved when determining "incidental and supplemental" work as well as the interpretation of current related laws and how they are applied give cause for further discussion and clarity in this specific area of contractor licensing law.

For purposes of such further discussion and clarity, we humbly request your continued consideration of SB2613.

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LABORERS' INTERNATIONAL UNION OF NORTH AMERICA LOCAL 368



PETER A. GANABAN
Business Manager
Secretary-Treasurer

February 19, 2014

ALFONSO OLIVER
President

Honorable Rosalyn Baker, Chair
Honorable Brian Taniguchi, Vice Chair
Members of the Senate Committee on Commerce and Consumer Protection

JOBY NORTH II
Vice President

RE: **SB2613** Relating to Contractors

TONI FIGUEROA
Recording Secretary

Date: February 20, 2014

Time: 10:00 A.M.

THOMAS CATHCART
Executive Board

Place: Room 229

Position: Oppose

JAMES DRUMGOLD JR.
Executive Board

Dear Chair Baker, Vice Chair Taniguchi and members of the Commerce and Consumer Protection Committee:

LEIMOMI JOHNSON
Executive Board

The Hawaii Laborers' Union OPPOSES SB 2613. This measure RELATING TO CONTRACTORS, defines "incidental and supplemental work" for the purposes of determining licensing requirements for general engineering and general building contractors based on ..."costs to perform the work as a percentage of the total contract price or the time involved to perform the work as a percentage of the total time involved not to exceed a contract price of \$10,000,000 and not to exceed up to 1% of the total contract price.

MARK MAGUSARA
Auditor

MARK TRAVALINO
Auditor

JOSEPH YAW
Auditor

LEUMA L. LEATUMAUGA
Sergeant-At-Arms

The Contractors Licensing Board (CLB) which is composed of general contractors, specialty contractors and non-contractors was established under HRS444 to administer the law. All rules developed by the Contractors Licensing Board (CLB) are subject to Chapter 91 (administrative rules). We believe that the CLB as it currently exists is balanced.

We humbly request that the CLB be allowed to perform its work under HRS444.

Thank you for the opportunity to submit this testimony.

Sincerely,

Al Lardizabal
Government Relations

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SB2613

Submitted on: 2/20/2014

Testimony for CPN on Feb 20, 2014 10:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tashanna L.K. Cortez	The Hawaii Island Contractors Association	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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