

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 24, 2017 10:06 AM  
**To:** CPH Testimony  
**Cc:** jmas808@gmail.com  
**Subject:** Submitted testimony for SB1102 on Feb 24, 2017 09:30AM

**SB1102**

Submitted on: 2/24/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeffrey Masatsugu	Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund	Comments Only	No

Comments: The Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund supports the intent of this measure but is concerned that a 25% threshold is far too high. We would suggest a much lower threshold such as 1% or a specified dollar amount such as \$5,000. Thank you for this opportunity to testify.

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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**From:** mailinglist@capitol.hawaii.gov  
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**SB1102**

Submitted on: 2/24/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeffrey Masatsugu	Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund	Comments Only	No

Comments: The Hawaii Glaziers, Architectural Metal Glassworkers Local Union 1889 AFL-CIO Stabilization Trust Fund supports the intent of this measure but is concerned that a 25% threshold is far too high. We would suggest a much lower threshold such as 1%, or a specified dollar amount such as \$5,000. Thank you for this opportunity to testify.

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**From:** mailinglist@capitol.hawaii.gov  
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**To:** CPH Testimony  
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**Subject:** Submitted testimony for SB1102 on Feb 24, 2017 09:30AM

**Categories:** Late

**SB1102**

Submitted on: 2/24/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeffrey Masatsugu	Hawaii Tapers Market Recovery Trust Fund	Comments Only	No

Comments: The Hawaii Tapers Market Recovery Trust Fund supports the intent of this measure but is concerned that a 25% threshold is far too high. We would suggest a much lower threshold such as 1%, or a specified dollar amount such as \$5,000. Thank you for this opportunity to testify.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 24, 2017 10:03 AM  
**To:** CPH Testimony  
**Cc:** jmas808@gmail.com  
**Subject:** Submitted testimony for SB1102 on Feb 24, 2017 09:30AM

**Categories:** Late

**SB1102**

Submitted on: 2/24/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeffrey Masatsugu	Painting Industry of Hawaii Labor Management Cooperation Trust Fund	Comments Only	No

Comments: The Painting Industry of Hawaii Labor Management Cooperation Trust Fund supports the intent of this measure but is concerned that a 25% threshold is far too high. We would suggest a much lower threshold such as 1% or a specified dollar amount such as \$5,000. Thank you for this opportunity to testify.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, February 24, 2017 7:17 AM  
**To:** CPH Testimony  
**Cc:** rkailianu57@gmail.com  
**Subject:** \*Submitted testimony for SB1102 on Feb 24, 2017 09:30AM\*

**Categories:** pdf'd, Late (Printed)

**SB1102**

Submitted on: 2/24/2017

Testimony for CPH on Feb 24, 2017 09:30AM in Conference Room 229

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachel L. Kailianu	Individual	Support	Yes

Comments:

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**HAWAII LABORERS-EMPLOYERS COOPERATION AND EDUCATION TRUST**  
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**TESTIMONY OF HAWAII LECET  
CLYDE T. HAYASHI - DIRECTOR**

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair  
Senator Clarence K. Nishihara, Vice Chair

NOTICE OF HEARING

DATE: Friday, February 24, 2017  
TIME: 9:30AM  
PLACE: Conference Room 229

**TESTIMONY ON SENATE BILL NO. 1102, RELATING TO SPECIALTY CONTRACTORS.**

ALOHA COMMITTEE CHAIR ROSALYN BAKER, COMMITTEE VICE CHAIR CLARENCE NISHIHARA, AND MEMBERS OF THE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH:

My name is Clyde T. Hayashi, and I am the Director of Hawaii LECET. Hawaii LECET is a labor-management partnership between the Hawaii Laborers Union, Local 368, and its unionized contractors.

Mahalo for the opportunity to testify in **OPPOSITION** to Senate Bill No. 1102. This bill proposes to require the Contractors License Board to adopt rules to define "incidental and supplemental to the performance of work" to clarify the percentage of a craft or trade in which a specialty contractor may engage without a license while performing work in a craft and trade for which contractor is licensed.

The Hawaii Supreme Court interpreted the term "incidental and supplemental" in HRS chapter 444 to be less than a majority. The high court remanded it back to the Contractors License Board. The Board complied with this directive, and interpreted less than a majority to mean less than fifty percent (<50%).

The Board also determined that to qualify as "incidental and supplemental" work, that work must be subordinate to, directly related to, and necessary for the completion of the work of greater importance that is within the scope of the licensee's license (i.e., the primary work the specialty contractor is licensed to perform), and that work must represent less than 50% of the project (as measured in relation to the project's total cost or extent).

Since October 2013, the Board has been consistently applying this standard to numerous scope of work inquiries, and is not aware of any situation in which this standard has harmed the public.

For these reasons, I **strongly oppose** Senate Bill No. 1102 and humbly ask that it is deferred.



ELECTRICAL CONTRACTOR'S ASSOCIATION OF HAWAII

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February 23, 2017

To: Senate Committee on Consumer Protection & Health  
Honorable Chairperson Rosalyn Baker & Vice Chairman Clarence Nishihara

From: Al Itamoto, Executive Director  
Electrical Contractors Association of Hawaii  
National Electrical Contractors Association, Hawaii Chapter

Subject: SB 1102 Relating to Specialty Contractors

Notice of Hearing

Date: Friday, February 24, 2017  
Time: 9:30 AM  
Place: Conference Room 229  
State Capitol  
415 South Beretania Street

Dear Chair Baker and Committee members:

The Electrical Contractors Association of Hawaii (ECAH) is a non-profit association representing over 100 electrical contractors doing business in the State of Hawaii. ECAH **opposes** the intent and purpose of SB 1102 that defines "incidental and supplemental to the performance of work" to no more than 25% of all work in any craft or trade, other than the craft or trade for which the specialty contractor is licensed, to be performed under a single contract. While it attempts to clarify by designating a percentage of the work to be performed as incidental and supplemental, any predetermined percentage may not apply in all cases equitably where the work could be considered as incidental and supplemental as each project is unique and each bid could have a different amount determined to be not more than 25%. It would be better if the procurement office would determine a clear scope of work and appropriate license(s) required for each project.

Based on the above, ECAH **opposes** the passage of SB 1102 and encourage this committee to kill this bill.

Thank you for the opportunity to provide testimony on this issue.