

STAND. COM. REP. NO.

3624

Honolulu, Hawaii

MAY 21 2020

RE: H.B. No. 1799  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Labor, Culture and the Arts, to which was referred H.B. No. 1799, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTRACTORS,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit a specialty contractor from performing work that is incidental and supplemental to new work in which the contractor is engaged if the work involves structural steel contracting and the contractor does not have the required C-48 license.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Design and Construction of the City and County of Honolulu, Contractors License Board, and Pacific Resource Partnership.

Your Committee finds that existing law allows specialty contractors to perform work in trades or crafts for which they do not have a license as long as the work is incidental and supplemental to the work for which they do have a license.

Your Committee notes that H.B. No. 1799 (Regular Session of 2020), as originally introduced, attempted to address licensing exceptions for incidental and supplemental work performed by



specialty contractors, regardless of what the percentage of structural steel work is when compared to the project in its entirety.

Your Committee notes that S.B. No. 2483 (Regular Session of 2020), which was previously introduced in the Senate, is a similar measure that excepts incidental and supplemental work which is substantially less than the work of the licensed contractor. Your Committee concludes that the language in S.B. No. 2483, is preferable because it clarifies that a specialty contractor may perform work in crafts or trades other than one in which the specialty contractor is licensed provided that, when measured by the time and expense in executing the contract, the work is substantially less than and only incidental and supplemental to the performance of work in the craft for which the specialty contractor is licensed.

Accordingly, your Committee has amended this measure by:

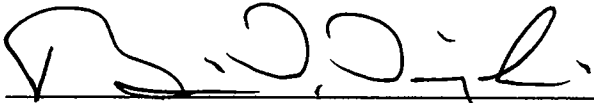
- (1) Deleting its contents and inserting the contents of S.B. No. 2483, a similar measure; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee kept the effective date of January 1, 2050, to encourage further discussion by your Committee on Commerce, Consumer Protection, and Health.

As affirmed by the record of votes of the members of your Committee on Labor, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1799, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1799, H.D. 1, S.D. 1, and be referred to your Committee on Commerce, Consumer Protection, and Health.



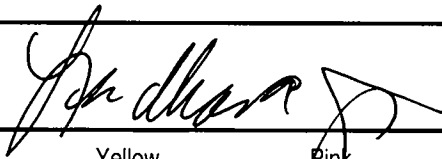
Respectfully submitted on  
behalf of the members of the  
Committee on Labor, Culture and  
the Arts,

  
\_\_\_\_\_  
BRIAN T. TANIGUCHI, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Labor, Culture and the Arts**  
**LCA**

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 1799 HD1</i>	<i>LCA, CPH</i>	<i>3-10-20</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312				
<input checked="" type="checkbox"/> Pass, with amendments 2311				
<input type="checkbox"/> Hold 2310				
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)	✓			
CHANG, Stanley	✓			
GABBARD, Mike				✓
FEVELLA, Kurt				✓
<b>TOTAL</b>	<i>3</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes