

MAR 12 2021

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## SENATE RESOLUTION

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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

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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

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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

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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:

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26 (1) C-6 Carpentry Framing;

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28 (2) C-31 Masonry;

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30 (3) C-32 Ornamental, Guardrail, and Fencing;

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32 (4) C-35 Pile Driving; Pile and Caisson Drilling, and  
33 Foundation;



- (5) C-38 Post Tensioning;
- (6) C-41 Reinforcing Steel;
- (7) C-48 Structural Steel; and
- (8) C-56 Welding; and

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

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

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

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

BE IT RESOLVED by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2021, that the Director of the Department of Commerce and Consumer Affairs and the Contractors License Board are requested to ensure that the Contractors License Board includes, at all times, at least two Specialty Contractor members licensed in at least one of the eight structural contracting subclassifications listed above; provided that the license was not issued automatically as a result of holding a General Engineering Contractor license or a General Building Contractor license; and



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2 BE IT FURTHER RESOLVED that the Department of Commerce and  
3 Consumer Affairs in conjunction with the Contractors License  
4 Board is requested to consider:  
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6 (1) The feasibility of establishing an advisory committee  
7 focused on structural contracting issues within the  
8 existing Board composition to enhance sensitivity and  
9 attention given to structural contracting issues;  
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11 (2) Whether the Contractors License Board's current  
12 administrative rules that allow for the automatic  
13 issuance of certain specialty licenses enumerated  
14 above for General Engineering Contractors and General  
15 Building Contractors, without further examination or  
16 fees, are prudent and sufficiently ensure the safety  
17 and welfare of the public; and  
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19 (3) Consulting with relevant stakeholders, including  
20 construction companies and unions, contractors, Hawaii  
21 Building and Construction Trades Council, Board of  
22 Electricians and Plumbers, and Structural Engineers  
23 Association of Hawaii to determine whether the  
24 Contractors License Board's licensing practices with  
25 respect to structural contracting are sufficient to  
26 ensure the safety and welfare of the public; and  
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28 BE IT FURTHER RESOLVED that the Department of Commerce and  
29 Consumer Affairs in conjunction with the Contractors License  
30 Board is requested to submit a report on their findings,  
31 including any proposed legislation, to the Legislature no later  
32 than twenty days prior to the convening of the Regular Session  
33 of 2022; and  
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35 BE IT FURTHER RESOLVED that certified copies of this  
36 Resolution be transmitted to the Director of Commerce and  
37 Consumer Affairs and Chairperson of the Contractors License  
38 Board.  
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OFFERED BY: Karl Rhoads

