

MAR 11 2022

SENATE CONCURRENT RESOLUTION

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 is required to ensure that the
13 subcontractors and workers assigned to install and erect
14 specialized steel structures, like those performing welding
15 services, have sufficient knowledge and experience to maintain a
16 safe work environment and make certain the installation and
17 construction of the specialized structure is properly done; 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;



(4) C-35 Pile Driving; Pile and Caisson Drilling;

(5) C-38 Post Tensioning;

(6) C-41 Reinforcing Steel;

(7) C-48 Structural Welding; 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 2022, the House of Representatives concurring, 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

BE IT FURTHER RESOLVED that the Department of Commerce and Consumer Affairs in conjunction with the Contractors License Board is requested to consider:

- (1) The feasibility of establishing an advisory committee focused on structural contracting issues within the existing Board composition to enhance sensitivity and attention given to structural contracting issues; and
- (2) Whether the Contractors License Board's current administrative rules that allow for the automatic issuance of certain specialty licenses enumerated above for General Engineering Contractors and General Building Contractors, without further examination or fees, are prudent and sufficiently ensure the safety and welfare of the public; and

BE IT FURTHER RESOLVED that the Department of Commerce and Consumer Affairs in conjunction with the Contractors License Board is requested to submit a report on their findings, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Director of Commerce and Consumer Affairs and Chairperson of the Contractors License Board.

OFFERED BY:

Kal Abdul

