

MAR 11 2022

## SENATE 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

10  
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

18  
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:

- 25  
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;  
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- 1 (5) C-38 Post Tensioning;  
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3 (6) C-41 Reinforcing Steel;  
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5 (7) C-48 Structural Welding; and  
6  
7 (8) C-56 Welding; and  
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9 WHEREAS, Specialty Contractor licenses, however, do not  
10 automatically include additional specialty classifications but  
11 are instead issued according to nearly one hundred different  
12 subclassifications that require special skills, or to those  
13 whose principal contracting business involves the use of  
14 specialized building trades or crafts, including the eight  
15 structure-related subclassifications identified above; and  
16

17 WHEREAS, existing law requires that the Contractors License  
18 Board include five Specialty Contractors in its membership, but  
19 does not require diversity among the many specialty  
20 subclassifications; and  
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22 WHEREAS, the composition of members on the Contractors  
23 License Board should include at least two members who are  
24 Specialty Contractors with experience in at least one of the  
25 eight structural trades identified above; and  
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27 WHEREAS, the Legislature finds that the public's health,  
28 safety, and welfare may be unduly put at risk without  
29 specialized structural contracting expertise being represented  
30 on the Contractors License Board; now, therefore,  
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32 BE IT RESOLVED by the Senate of the Thirty-first  
33 Legislature of the State of Hawaii, Regular Session of 2022,  
34 that the Director of the Department of Commerce and Consumer  
35 Affairs and the Contractors License Board are requested to  
36 ensure that the Contractors License Board includes, at all  
37 times, at least two Specialty Contractor members licensed in at  
38 least one of the eight structural contracting subclassifications  
39 listed above; provided that the license was not issued  
40 automatically as a result of holding a General Engineering  
41 Contractor license or a General Building Contractor license; and  
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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 Resolution be transmitted to the Director of Commerce and Consumer Affairs and Chairperson of the Contractors License Board.

OFFERED BY:

*Kal Rhoads*

