

MAR 10 2023

SENATE RESOLUTION

REQUESTING 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 health, safety, and welfare of the
4 general 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;
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- 1 (4) C-35 Pile Driving; Pile and Caisson Drilling;
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- 3 (5) C-38 Post Tensioning;
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- 5 (6) C-41 Reinforcing Steel;
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- 7 (7) C-48 Structural Welding; and
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- 9 (8) C-56 Welding; and
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11 WHEREAS, Specialty Contractor licenses, however, do not
12 automatically include additional specialty classifications but
13 are instead issued according to nearly one hundred different
14 subclassifications that require special skills, or to those
15 whose principal contracting business involves the use of
16 specialized building trades or crafts, including the eight
17 structure-related subclassifications identified above; and

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

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

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

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34 BE IT RESOLVED by the Senate of the Thirty-second
35 Legislature of the State of Hawaii, Regular Session of 2023,
36 that the Department of Commerce and Consumer Affairs and
37 Contractors License Board are requested to ensure that the
38 Contractors License Board includes, at all times, at least two
39 Specialty Contractor members licensed in at least one of the
40 eight structural contracting subclassifications listed above;
41 provided that the license was not issued automatically as a



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1 result of holding a General Engineering Contractor license or a
2 General Building Contractor license; and

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

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8 (1) The feasibility of establishing an advisory committee
9 focused on structural contracting issues within the
10 existing Board composition to enhance sensitivity and
11 attention given to structural contracting issues; and

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13 (2) Whether the Contractors License Board's existing
14 administrative rules that allow for the automatic
15 issuance of certain specialty licenses enumerated
16 above for General Engineering Contractors and General
17 Building Contractors, without further examination or
18 fees, are prudent and sufficiently ensure the health,
19 safety, and welfare of the public; and

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21 BE IT FURTHER RESOLVED that the Department of Commerce and
22 Consumer Affairs, in conjunction with the Contractors License
23 Board, is requested to submit a report on its findings,
24 including any proposed legislation, to the Legislature no later
25 than twenty days prior to the convening of the Regular Session
26 of 2024; and

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

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OFFERED BY:

