

CONTRACTORS LICENSE BOARD
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

Rules Committee Meeting Minutes

Date: Friday, July 19, 2013

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
Department of Commerce and Consumer Affairs
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Present: Randall B.C. Lau, Chairperson
Leslie A. Botelho, Member
Tyrus Kagawa, Member
William Kamai, Member
Nathan T. Konishi, Member
Peter Lee, Member
Kent Matsuzaki, Member
Aldon Mochida, Member
John Polischeck, Jr., Member
Daryl Suehiro, Member
Gerald Yamada, Member
Verna Oda, Executive Officer
Charlene L.K. Tamanaha, Executive Officer
Rodney J. Tam, Deputy Attorney General

Excused: Guy Akasaki, Vice Chairperson
Anacleto "Joey" Alcantara, Jr., Member

Guests: Arnold Wong, Ironworkers Local 1186
Mel Kahele, Ironworkers Local 625
Ron Amemiya, Ironworkers Local 625
Joseph O'Donnell, Ironworkers Local 625
Malcolm Ahlo, Jr., DC 50
John D. Frigillana, DC 50
Richard Vieira, DC 50
Mitchell Shimabuku, DC 50
Dwayne Arelliano, DC 50, Glaziers Local Union 1889
Michael Lilly, Esq., DC 50
Cory Tani, DC 50, Local 1791
Sean Cordero, DC 50, Glaziers Local Union 1889
Lorna Woo, DC 50
Ryden Valmoja, DC 50
Aaron Ho, DC 50

Ray Fujii, PDCA of Hawaii
Gregg Serikaku, PAMCA
Glenn Ida, Local Union 675
Harold McDermott, Local Union 675
Peter Akamu, IBEW Local Union 1186
David Stone, Local Union 1926
Scotty Anderson, Pacific Rim Partners
Gladys Marrone, BIA
Shannon Alivado, GCA
Lance Inouye, GCA
John Morsey, Legislative Reference Bureau
Troy Silva, HEMEP
Ryan Takahashi, HEMEP
Mike Kido, DCCA

Call to Order:

Chairperson Lau called the meeting to order at 1:00 p.m.

It was moved by Mr. Mochida, seconded by Mr. Polischeck, and unanimously carried to approve the Rules Committee meeting minutes of July 8, 2013, with the following correction to the first paragraph on page 3:

It was also suggested that the definition of “incidental and supplemental” in HAR section 16-77-34 should not apply to the C-5 [Residential and] Commercial classification. (*Bracketed language is deleted.*)

Chairperson Lau stated that the purpose of the meeting was to comply with Senate Concurrent Resolution 84, SD 1. He also summarized the Committee’s discussion at the previous Rules Committee meeting, and the possibility of separating the “B” general building and C-5 Cabinet, millwork, and carpentry remodeling and repairs classifications into residential and commercial license classifications. He also summarized the Committee’s discussion regarding the automatic “C” specialty classifications that come with the “A” and “B” general contractor licenses.

Chairperson Lau opened the floor to comments from anyone in attendance. Lance Inouye, representing the General Contractors Association (“GCA”), stated that they reserve their comments on the separation of the “B” general building and C-5 classifications, pending a review of the scope of the licenses.

Arnold Wong, of the Ironworkers Stabilization Fund, stated that the “A” general engineering contractor should not be allowed to perform C-38 Post tensioning work. The question was raised whether any of the general engineering contractors were self performing post tensioning work. Mr. Inouye noted that in California, the general contractor is allowed to do all the work, although not all of the work may be self-performed. It is left

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to the contractor to determine what work it is qualified to do or is feasible to self perform, and what work should be subcontracted out.

Mel Kahele, of the Ironworkers Local 625, stated that applicant should be qualified for any automatic specialty classifications.

Shannon Alivado, of the General Contractors Association, stated that the C-14 Sign contractor classification should be automatically assigned to the "A" general engineering and "B" general building classifications. In response to questions from the Rules Committee, Ms. Alivado briefly went over the rationale for the changes to the rules proposed by the GCA.

Mitchell Shimabuku of District Council 50 stated that their members must complete extensive training regarding the hazards of the painting profession, and that there is a lot more involved in painting work besides applying paint to a wall.

It was suggested that the comments submitted to the Rules Committee be posted on the Contractors License Board's ("Board") website, so that other interested parties may respond to the comments received by the Board.

Mr. Kahele mentioned that his organization is also interested in information regarding applicants' experience during the application process, and that there were some applicants who were not qualified who received licenses. Mr. Mochida explained that the Board must rely on the information provided by the applicant in making its determination. Mr. O'Donnell stated that the applications should be made public prior to licensure. Executive Officer Oda noted that the Board must comply with Chapter 92F, the Uniform Information Practices Act.

There was general discussion about the scope of the various license classifications. Chairperson Lau mentioned that no license is required for federal projects. Chairperson Lau also stated that it is his personal opinion that the general contractor licenses should be limited, but that its work should not be limited to the automatic specialties that come with the license.

Chairperson Lau stated that the Rules Committee will digest the comments received prior to creating framework for any proposed rule amendments. He asked that each Committee member submit their comments to the Executive Officer for compilation. Once the Committee comes up with a draft, it will be circulated for comments.

The next Rules Committee meeting was scheduled for August 23, 2013 at 1:00 p.m.

Adjournment: Chairperson Lau adjourned the meeting at 3:00 p.m.

Taken and recorded by:

_____/s/ Verna Oda
Verna Oda
Executive Officer

[X] Minutes approved as is.

[] Minutes approved with changes. See Minutes of _____.

VO:js

8/19/13