

## NOTICE OF PUBLIC HEARING

Pursuant to Hawaii Revised Statutes (“HRS”) section 444-4 and chapter 91, notice is hereby given that the Contractors License Board (“Board”) will hold a public hearing on Friday, November 17, 2017, at 8:30 a.m., in the King Kalakaua Conference Room, First Floor, King Kalakaua Building, Department of Commerce and Consumer Affairs, 335 Merchant Street, Honolulu, Hawaii, to hear all persons interested in the proposed amendments to Hawaii Administrative Rules (“HAR”) chapter 16-77 pertaining to contractors.

The purpose of the proposed amendment is to amend section 16-77-34, Work Incidental and Supplemental, to clarify that to qualify as “incidental and supplemental” work, that work must represent less than a majority of the project (as measured in relation to the project’s total cost or extent), and the work must be subordinate to, directly related to, and necessary for the completion of the work of greater importance that is within the scope of the licensee’s license (i.e., the primary work of the specialty contractor’s license to perform). This amendment is intended to conform with the Hawaii Supreme Court’s decision in the District Council 50 v. Lopez case, 129 Hawai’i 281, 287, 298 P.3d 1045, 1051 (2013) (“DC 50”), and the Board’s corresponding Board’s Final Order (“BFO”) dated October 18, 2013, in the matter of the Petition for Declaratory Relief of District Council 50 of the International Union of Painters and Allied Trades and Aloha Glass Sales & Service, Inc.

All interested persons shall be afforded the opportunity to submit data, views, or arguments, orally or in writing, at the time of hearing. All persons wishing to submit written testimony are requested to submit 18 copies of their written testimony by

Monday, November 13, 2017, to the Professional and Vocational Licensing Division at the address printed below.

A copy of the proposed rules will be mailed to any person who requests a copy upon receipt of \$11.61 for the copy and postage. Please submit your request to the Professional and Vocational Licensing Division at the address noted below or contact the Board's office at (808) 586-2700.

Copies may be picked up at the following address between 7:45 a.m. and 4:30 p.m., Monday through Friday, excluding holidays: Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, 335 Merchant Street, Room 343, Honolulu, Hawaii 96813. The cost of a copy, \$10.00, is due and payable at the time of pick up.

Further, the proposed rules may be reviewed in person free of charge at the Professional and Vocational Licensing Division at the address and hours of operation printed above. In addition, the full text of the proposed rules is available and can be downloaded free of charge from the web site of the Department of Commerce and Consumer Affairs: [cca.hawaii.gov/dcca/pvl](http://cca.hawaii.gov/dcca/pvl).

Individuals who require special needs accommodations are invited to call Candace Ito at (808) 586-2700 at least four (4) working days prior to the hearing.

John Polischeck, Jr., Chairperson  
Contractors License Board  
State of Hawaii