



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. 714

June 13, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on June 13, 2006, the following bill was signed into law:

SB2298 SD1 HD1 CD1

A BILL FOR AN ACT RELATING TO
CHAPTER 448E, HAWAII REVISED STATUTES.
(ACT 186)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 2298
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO CHAPTER 448E, HAWAII REVISED STATUTES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 448E-9, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§448E-9 Unlicensed activity.** (a) No person shall act or
4 assume to act as a journey worker electrician, journey worker
5 specialty electrician, supervising electrician, supervising
6 specialty electrician, journey worker plumber, master plumber,
7 maintenance electrician, journey worker industrial electrician,
8 or supervising industrial electrician, or advertise or hold the
9 person's self out as an electrician or plumber, without a
10 license previously obtained in compliance with this chapter and
11 the rules of the board; provided that any person may perform
12 emergency plumbing repair work in the person's principal place
13 of residence when such repairs do not involve or require
14 rearrangement of valves, pipes, or fixtures; provided further
15 that no such emergency repairs may be performed on sewer lines,
16 drains, gas lines, and on fixtures being served with backflow
17 devices which [~~includes~~] include heaters, water closets,
18 dishwashers, and garbage disposal units.



1 For purposes of this subsection:

2 "Electrician" means any person who performs electrical work
3 and includes but is not limited to any person who acts as a
4 journey worker electrician, journey worker specialty
5 electrician, supervising electrician, supervising specialty
6 electrician, maintenance electrician, journey worker industrial
7 electrician, or supervising industrial electrician.

8 "Plumber" means any person who performs plumbing work and
9 includes but is not limited to any person who acts as a journey
10 worker plumber or master plumber.

11 (b) An apprentice or trainee learning the trade of a
12 person licensed under this chapter shall not be required to have
13 a license if the apprentice or trainee acts under the
14 supervision of a person appropriately licensed under this
15 chapter.

16 (c) Upon entry of a judgment by a court of competent
17 jurisdiction finding that the person has advertised in violation
18 of this section, the entity furnishing voice communication
19 service to the violator shall disconnect the telephone number
20 contained in the advertisement or listing."

21 SECTION 2. Section 448E-10, Hawaii Revised Statutes, is
22 amended to read as follows:



1 "**§448E-10 Suspension; revocation; fine; denial of issuance**
2 **or renewal of a license.** (a) In addition to any other actions
3 authorized by law the board, after notice and hearing as
4 provided in chapter 91, may suspend or revoke any license, or
5 impose fines, or prior to the notice and hearing, deny the
6 issuance or renewal of any license for any cause authorized by
7 law, including but not limited to the following:

- 8 (1) ~~[A license was or is sought to be obtained]~~ Obtaining,
9 or attempting to obtain a license by fraud,
10 misrepresentation, or deceit;
- 11 (2) Gross negligence, incompetency, misconduct, or
12 dishonesty in the practice of the profession;
- 13 (3) False, fraudulent, or deceptive advertising;
- 14 (4) Permitting an unlicensed person to perform activities
15 requiring a license; ~~[or]~~
- 16 (5) Aiding or abetting an unlicensed person to violate
17 this chapter;
- 18 (6) Allowing a person's license to be used by an
19 unlicensed person;
- 20 (7) Acting as an agent, partner, or associate of an
21 unlicensed person engaging in an activity in violation
22 of this chapter; or



1 [~~(5) Violation of~~] (8) Violating any [~~provisions~~] provision
2 of this chapter [~~and any rules~~] or rule of the board.

3 (b) Any person who violates any provision of this chapter
4 shall be fined not less than \$100 and not more than [~~\$1,000~~]
5 \$5,000 for each violation."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2006.

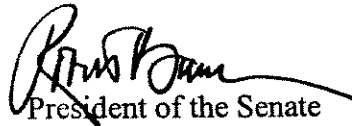
GOVERNOR OF THE STATE OF HAWAII

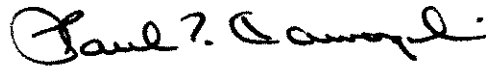
Approved this day: JUN 13 2006

THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.


President of the Senate


Clerk of the Senate

**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.


Speaker, House of Representatives


Clerk, House of Representatives