

JAN 24 2013

A BILL FOR AN ACT

RELATING TO THE CONTRACTORS LICENSE BOARD.

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

1 SECTION 1. Section 444-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§444-3 Contractors license board.** (a) There shall be a
4 contractors license board of thirteen members~~[7]~~, each of whom
5 shall:

6 (1) Be at least thirty years of age and of good character;
7 and

8 (2) Have been a resident of, and domiciled in, the State
9 for not less than five years preceding the member's
10 appointment.

11 (b) Of the board members:

12 (1) [~~Ten~~] Five shall be contractors who have been actively
13 engaged in the contracting business for a period of
14 not less than five years preceding the date of their
15 appointment~~[7]~~

16 ~~(2)~~ Five] and who hold a valid and unexpired license to
17 operate as a contractor at the time of appointment.

18 Of the five contractors, one shall be a general



1 engineering contractor, [~~or~~] two shall be general
2 building contractors, [~~five~~] and two shall be
3 specialty contractors [~~, and three shall be~~
4 ~~noncontractors.~~]; and

5 (2) Eight shall be noncontractors, as follows:

6 (A) One shall be a member of a labor organization
7 representing the building trades;

8 (B) One shall be a representative of a state-approved
9 building and construction trade apprenticeship
10 program pursuant to section 103-55.6;

11 (C) One shall be a representative from the Hawaii
12 occupational safety and health division of the
13 department of labor and industrial relations; and

14 (D) Five shall be public members; provided that each
15 public member shall possess a working knowledge
16 of, or have experience with, the construction
17 industry;

18 provided that no noncontractor shall be a current
19 licensee of the board, a close family member of a
20 licensee, or have any financial interest in the
21 business of any licensee of the board.



1 No member shall receive any compensation for the member's
2 services, but each shall be reimbursed for necessary traveling
3 expenses incurred in the performance of duties.

4 (c) Each county shall be represented on the board.

5 (d) ~~[No one, except the three noncontractor members, shall~~
6 ~~be eligible for appointment who does not at the time of the~~
7 ~~member's appointment hold a valid and unexpired license to~~
8 ~~operate as a contractor.]~~ The protection of the public shall be
9 of the highest priority for the board in the exercise of its
10 licensing, regulatory, and disciplinary functions. Whenever the
11 protection of the public is inconsistent with other interests
12 that are sought to be promoted, the protection of the public
13 shall take priority.

14 (e) For the purposes of this section, the terms "general
15 engineering contractor", "general building contractor", and
16 "specialty contractor" shall have the meanings given to them in
17 section 444-7."

18 SECTION 2. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 3. This Act shall take effect upon its approval;
21 provided that the present members of the contractors license



1 board shall serve in their capacity until their replacements are
2 appointed by the governor.

3

INTRODUCED BY:

Chris He



S.B. NO. 979

Report Title:

Contractors license board; Composition

Description:

Increases the number of noncontractors in the contractors license board from 3 to 8. Reduces the number of contractors from 10 to 5. Ensures the presence of noncontractor members from the public with 3 members. Adds age, residence, domicile, and other requirements for board members. Gives priority to protection of the public over the board's licensing, regulatory, and disciplinary functions.

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