

A Bill for an Act Relating to the Licensing of Electricians and Plumbers.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Hawaii Revised Statutes is amended by adding thereto a new chapter to read as follows:

**“CHAPTER
ELECTRICIANS AND PLUMBERS**

Section -1. Definitions. As used in this chapter, unless otherwise indicated by the content:

- (1) ‘Board’ means the board of electricians and plumbers.
- (2) ‘Journeyman electrician’ means any person who has been licensed by the board as a journeyman electrician to perform electrical work.
- (3) ‘Journeyman plumber’ means any person who has been licensed by the board as a journeyman plumber to direct and supervise the performance of plumbing work and to perform plumbing work.
- (4) ‘Journeyman specialty electrician’ means any person who has been licensed by the board as a journeyman specialty electrician to perform electrical work related to installing, repairing, altering and maintaining but not the attachment of lighting and power circuits to, the following: electronic equipment, sound public address systems and communication systems, other than equipment and systems for a single-family or two-family dwelling; master of community radio and television receiving antenna systems; sound recording systems, other than systems for a single-family or two-family dwelling; burglar and fire alarm systems; low voltage remote control, other than a control for a single-family or two-family dwelling; and low voltage communication signal systems.
- (5) ‘Master plumber’ means any person who has been licensed by the board as a master plumber to direct and supervise the performance of plumbing work and to perform plumbing work.
- (6) ‘Motion picture operator’ means any person who has been licensed by the board for the purpose of operating a movie projector using 35 mm film or larger for commercial purposes.
- (7) ‘Supervising electrician’ means any person who has been licensed by the board as a supervising electrician to direct and supervise the performance of electrical work and to perform electrical work.

- (8) 'Supervising specialty electrician' means any person who has been licensed by the board as a supervising specialty electrician to direct and supervise the performance of electrical work relating to installing, repairing, altering and maintaining, but not the attachment of lighting and power circuits, to the following: electronic equipment, sound public address systems, other than equipment and systems for a single-family or two-family dwelling; master or community radio and television receiving antenna system; sound recording systems other than systems for a single-family or a two-family dwelling; burglar and fire alarm systems; low voltage remote control, other than control for a single-family or two-family dwelling; and low voltage communication signal systems.

Section -2. There is established within the department of regulatory agencies for administrative purposes the board of electricians and plumbers consisting of seven members appointed by the governor as provided in section 26-34. The board shall designate one of its members as chairman. Two of the members shall be engaged in the electrical trade and two of the members shall be engaged in the plumbing trade. Three of the members shall be private citizens not connected with the industry.

Section -3. Powers and duties of board. The board shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including, without limitation, the following powers:

- (1) To grant licenses which shall be renewable on an annual basis to:
 - (A) journeyman electricians, (B) journeyman specialty electricians, (C) supervising electricians, (D) supervising specialty electricians, (E) motion picture operators, (F) master plumbers, and (G) journeyman plumbers;
- (2) To make, amend, or repeal such rules and regulations as it may deem proper to effectuate this chapter and to insure the safety and welfare of the general public. All such rules and regulations shall be adopted pursuant to chapter 91. The rules and regulations may forbid acts or practices deemed by the board to be detrimental to the accomplishment of the purpose of this chapter;
- (3) To enforce this chapter and rules and regulations adopted pursuant thereto including the denial, suspension or revocation of any license; and
- (4) To examine all applicants and determine their qualifications prior to the issuance of licenses.

Section -4. Minimum requirements. An applicant shall possess the following minimum qualifications:

- (1) Journeyman electrician. Every applicant to be eligible for the journeyman electrician examination shall be at least twenty years of age and must have had at least four years' experience in the trade.
- (2) Journeyman specialty electrician. Every applicant to be eligible for the journeyman specialty electrician examination shall be at least twenty years of age and must have had at least four years' experience in the trade.

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- (3) Supervising electrician. Every applicant to be eligible for the supervising electrician examination shall have been registered with the board as a journeyman electrician for at least a period of two years in the trade or shall have had equivalent experience in the trade.
- (4) Supervising specialty electrician. Every applicant to be eligible for the supervising specialty electrician examination shall have been registered with the board as a journeyman specialty electrician for at least a period of two years in the trade or shall have had equivalent experience in the trade.
- (5) Motion picture operator. Every applicant to be eligible for the motion picture operator examination shall be not less than eighteen years of age and shall have had not less than one year of experience under supervision of a registered motion picture operator in the operation of machines for the projection of motion pictures for commercial purposes in the trade.
- (6) Journeyman plumber. Every applicant to be eligible for the journeyman plumber examination shall have had experience of at least five years' full-time or its equivalent but not less than 10,000 hours as a journeyman's or master plumber's helper, and is able to furnish satisfactory evidence of such fact.
- (7) Master plumber. Every applicant to be eligible for the master plumber examination shall have been registered with the board as a journeyman plumber for at least two years or shall have had equivalent experience in the trade.

Section -5. Hearings. In every case where it is proposed to refuse to grant a license or to revoke or suspend a license or to refuse to renew a license, the board shall give the person concerned notice of hearing in conformity with chapter 91.

Section -6. Appeal to circuit court. An applicant who has been refused a license and every licensee whose license has been suspended, revoked, or not renewed may appeal the board's decision to the circuit court of the circuit in which the applicant or licensee resides in the manner provided in chapter 91.

Section -7. Fees; annual renewals. (a) The fees for each original license and renewal thereof prescribed by this chapter shall be fixed by the board.

(b) The annual renewal fee shall be paid to the board before July 1 of each year. Failure, neglect, or refusal of any licensee to pay the annual renewal fee before such date shall constitute a forfeiture of the license. Any such license may be restored upon written application therefor within one year from such date and the payment of the required fee plus an amount equal to ten per cent thereof.

Section -8. Unlicensed activity. It shall be unlawful for any person to act or assume to act as an unlicensed electrician or plumber within the meaning of this chapter.

Section -9. Violation; penalty. Any person who violates any provision of this chapter shall be fined not more than \$1,000.

Section -10. Injunction. The board may, in addition to any other remedy available, apply to a circuit court judge for a temporary restraining order, preliminary or permanent injunction restraining any person from acting, or assuming to act, as a journeyman electrician, journeyman specialty electrician, supervising electrician, supervising specialty electrician, motion picture operator, journeyman plumber, or master plumber without a license previously obtained in compliance with this chapter and the rules and regulations of the board, and upon hearing and for cause shown, the judge may grant the temporary restraining order, preliminary or permanent injunction.

Section -11. Inspections. Nothing in this chapter should deprive the several counties of the right to perform electrical or plumbing inspections, as regulated by their respective ordinances.”

SECTION 2. Section 444, Hawaii Revised Statutes, is amended by adding thereto a new section to read as follows:

“**Section 444-** . At least half of all craftsmen requiring licenses employed on a construction project by a specialty contractor in the trade in which he is licensed shall be licensed in accordance with and to the extent required by section . The board may waive this requirement in any county when there are insufficient licensed craftsmen in that county to comply herewith.”

SECTION 3. All employees of a public utility within the State of Hawaii under a franchise or charter granted by the State of Hawaii which is regulated by the Public Utilities Commission, while so employed, shall be exempt from the provisions of Chapter . **ELECTRICIANS AND PLUMBERS.**

SECTION 4. Any individual holding a current and valid license under an ordinance of any county of the State prior to the effective date of this Act may continue to practice his trade; provided that upon the renewal date of any licensee's county license, he shall make application to the board created by this Act to renew his license; and provided further, that any such individual or licensee holding a county license shall be subject to the jurisdiction of the board after the effective date of this Act.

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$5,000, or so much thereof as may be necessary, for the administration of this Act. The sum appropriated shall be expended by the department of regulatory agencies for the purposes of this Act.

SECTION 6. No member of the Board of Electricians and Plumbers shall receive any compensation for his services, but each shall be reimbursed for his necessary traveling expenses incurred in the performance of his duties.

SECTION 7. This Act shall take effect on January 1, 1972.

(Approved June 7, 1971.)