

ACT 118

H.B. NO. 1873

A Bill for an Act Relating to Renewal of License for Professional and Vocational Licenses.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 436-4, Hawaii Revised Statutes, is amended to read:

“Sec. 436-4 Other fees. Each applicant shall submit with his application a fee of \$5. The fee shall not be refundable.

Each licensee shall pay to the board of examiners a biennial license renewal fee of \$20, payable in advance on or before December 31 of each odd-numbered year.

A license which has not been renewed on or before December 31 shall expire on January 1. The holder of an expired license may have the same restored within one year of the date of expiration upon due application thereof, payment of the delinquent fees and a penalty of \$5.”

SECTION 2. Section 436D-7, Hawaii Revised Statutes, is amended to read:

“Sec. 436D-7 Fees and expenses. No applicant shall be examined under this chapter until he has paid to the board of acupuncture a fee of \$60. Every person holding a license under this chapter shall reregister with the board each year, not later than December 31 of each odd-numbered year, and for such registration shall pay a fee of \$20. Failure to do so shall constitute a forfeiture of license, which may be restored only upon written application therefor and payment to the board of a fee of \$30. All such fees shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund.”

SECTION 3. Chapter 437, Hawaii Revised Statutes, is amended in the following manner:

(1) By amending section 437-22, Hawaii Revised Statutes, to read:

“Sec. 437-22 License fees. (a) Authority to establish. The board shall establish by rules and regulations in accordance with chapter 91 the original and biennial license fees for licenses issued pursuant to this chapter.

(b) Payment. In all cases the license and filing fees shall accompany the application for license.

(c) Refund. In case the license is not granted, the license fee but not the

filing fee shall be returned to the applicant at the time he is formally notified that his application is denied.”

(2) By amending section 437-23, Hawaii Revised Statutes, to read:

“**Sec. 437-23 Term of license.** (a) Expiration. All licenses issued pursuant to this chapter shall expire on June 30 of each even-numbered year unless sooner terminated, suspended, or revoked. All applications for renewal of license shall be filed on or before June 30 of each even-numbered year together with the applicable fees.

(b) Reapplication. If a licensee fails to renew his license on or before June 30 of each even-numbered year and desires to continue in the business or activity for which the license was issued, he shall file a new application for a license and shall pay in addition to the license and filing fee a penalty of twenty-five percent of the original license fee; provided that the board may for good cause waive the collection of all or a part of the penalty; and provided that nothing contained in this section shall limit the power of the board to deny any application on the grounds provided in this chapter.”

SECTION 4. Chapter 438, Hawaii Revised Statutes, is amended in the following manner:

(1) By amending section 438-11, Hawaii Revised Statutes, to read:

“**Sec. 438-11 Fees.** (a) The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice barbering shall be \$15. The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice as an apprentice shall be \$10.

(b) The fee to be paid for the renewal of a certificate of registration to practice barbering shall be \$10, and for the restoration of an expired certificate \$10.

(c) The fee to be paid for the renewal of the certificate of registration to practice as an apprentice shall be \$8, and for the restoration of an expired certificate \$8.

(d) The fee to be paid by an applicant to conduct a barber shop shall be \$25. The fee to be paid for the biennial renewal of a certificate shall be \$20 and for the restoration of an expired certificate \$20.

(e) A duplicate certificate will be issued upon the filing of a statement covering the loss of a certificate or permit, verified by the oath of the applicant, and the submission by him of one signed photograph of himself, and the payment of a fee of \$1. Each duplicate certificate or permit shall have the word “duplicate” stamped across the face thereof, and shall bear the same number as the certificate or permit that it was issued in lieu of. All fees received by the board of barbers shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund.”

(2) By amending section 438-12, Hawaii Revised Statutes, to read:

“**Sec. 438-12 Renewal of certificates.** The holder of a certificate issued by the board of barbers who continues in active practice shall biennially, on or before December 31 of each odd-numbered year, renew his certificate and pay the renewal fee. A certificate which has not been renewed shall expire Decem-

ber 31 of the odd-numbered year, next following the date of issuance. The holder of an expired certificate may have the same restored within three years of the date of expiration, upon due application therefor and payment of the delinquent fees.”

SECTION 5. Section 439-15, Hawaii Revised Statutes, is amended to read:

“**Sec. 439-15 Certificates of registration.** (a) Certificates. The board of cosmetology shall issue a certificate of registration as apprentice, student, operator, or instructor, as the case may be, to each person who passes the required examination, pays the proper fee, and meets all of the other requirements of this chapter. The certificate shall state specifically the occupation for which the person is registered and shall be signed by the president and secretary and impressed with the seal of the board.

(b) Expiration. All certificates issued by the board expire on December 31 of each odd-numbered year.

(c) Renewal. Every registered operator and instructor shall pay to the treasurer of the board between December 1 and 31 of each odd-numbered year a biennial renewal fee of \$8. The payment of the renewal fee shall entitle the registrant to renewal of his certificate.

(d) Renewal after lapse. The certificate of an apprentice, operator, or instructor shall be reinstated upon payment of all delinquent fees and a penalty of \$10 if application is made within three years after lapse.”

SECTION 6. Section 441-31, Hawaii Revised Statutes, is amended to read:

“**Sec. 441-31 Fees, original license and biennial renewals, refunds.** (a) The fee for a cemetery or pre-need funeral authority original license and reinstatement of a suspended license shall be \$200 and the biennial renewal fee shall be \$400 except as otherwise provided in sec. 441-22.5.

The biennial renewal fee shall be paid to the board on or before December 31 of each odd-numbered year. Failure, neglect or refusal of any duly licensed cemetery or pre-need funeral authority to pay the biennial renewal fee shall constitute a forfeiture of his license. Any such license may be restored upon written application therefor within one year of such date and the payment of the delinquent fees plus an amount equal to ten percent thereof.

(b) The fee for a cemetery or pre-need funeral salesman license shall be \$25. The biennial renewal fee shall be \$30, and the fee for reinstatement of a suspended license shall be \$30.

The biennial renewal fee shall be paid to the board on or before December 31 of each odd-numbered year. Failure, neglect, or refusal of any duly licensed salesman to pay the biennial renewal fee shall constitute a forfeiture of his license. The license of the salesman may be restored upon written application therefor and the payment to the board of \$25.

(c) A fee of \$5 shall be charged for the reissuance of any lost license or for the reissuance of license when there has been a change in the licensee's name or when a salesman is employed by a different authority.

(d) All fees and other moneys collected or received under this chapter

shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund.

(e) The board may request the director of regulatory agencies to have any fee erroneously paid to it under this chapter refunded when the board deems it just and equitable.”

SECTION 7. Section 442-11, Hawaii Revised Statutes, is amended to read:

“**Sec. 442-11 Biennial registration; fees; failure to register.** Every person holding a license to practice chiropractic in the State shall reregister with the secretary-treasurer of the board of chiropractic examiners on or before December 31 of each odd-numbered year and shall pay a reregistration fee of \$15. The secretary of the board shall, on or before November 30 of each odd-numbered year mail to the last known address of all licensed chiropractors a notice thereof.

The failure, neglect, or refusal of any person holding a license to practice chiropractic to reregister or to pay the reregistration fee of \$15, after thirty days of delinquency, constitutes a forfeiture of his license; provided that the license shall be restored upon written application therefor together with a payment of all delinquent fees and \$25, if such application and payments are made within a period of one year from the date of the inception of such delinquency. In the event, however, such delinquency is permitted to continue over a period of one year, in addition to the foregoing requirements, such person shall submit to and successfully pass a reexamination written or oral, conducted by the board at its regular meetings.”

SECTION 8. Section 443-12, Hawaii Revised Statutes, is amended to read:

“**Sec. 443-12 Fees; biennial renewals.** (a) The fee for any license prescribed by this chapter shall be as follows:

- (1) License as a collection agency, \$60, if the initial license is obtained between July 1 and December 31; but if it is obtained between January 1 and July 1, the fee for a license valid to the latter date shall be \$30.
- (2) Biennial renewal of license to act as a collection agency, \$120.
- (3) Biennial license for each place of business other than the principal one, \$60.

(b) The biennial renewal fee shall be paid to the board before July 1 of each even-numbered year. Any licensee who fails to pay his renewal fee before July 1 shall in addition to the regular license fee, be penalized and pay \$1 for each day elapsing between July 1 and the day payment is tendered. The board shall notify the delinquent licensee of his failure to renew his license as provided in this section, within five days after such delinquency occurs. This notification shall be by registered mail, addressed to the principal place of business of the licensee as shown by the board's records, notifying him of his failure to register. This notification shall state that the licensee's license will be revoked unless application for renewal, a renewal or new bond and payment of the renewal license fee together with the \$1 daily penalty is submitted within twenty days from the date of mailing the notice. Failure to file within the pre-

scribed twenty days shall work an automatic forfeiture of the delinquent license unless just cause is shown for a further extension of time, in which case no further penalty of \$1 per day shall be assessed against the licensee from and after the date such extension is granted by the board. For good cause the collection agency board may waive all or any part of the penalty herein prescribed.

The license certificate mentioned in this section shall be in a form and size prescribed by the board. Each license certificate shall show the name of the licensee and his business name and address, the date of expiration of the license, and such other information as may be prescribed by the board. While any license is in force, it shall be displayed in a conspicuous place in the outer office of the collection agency.”

SECTION 9. Section 444-15, Hawaii Revised Statutes, is amended to read:

“Sec. 444-15 Fees; biennial renewals. (a) The fees for each original license and biennial renewal thereof prescribed by this chapter shall be as follows:

- (1) Original license fee
 - License to act as specialty contractor \$100
 - License to act as general engineering contractor \$200
 - License to act as general building contractor \$200
- (2) Original license fee for responsible management employee (RME)
 - License to act as RME in specialty contracting \$100
 - License to act as RME in general engineering contracting \$200
 - License to act as RME in general building contracting \$200
- (3) Renewals
 - Renewal of specialty contractor’s license \$ 50
 - Renewal of general engineering contractor’s license \$150
 - Renewal of RME for all classifications \$ 50
- (4) Reissuance of a license or issuance of a certified copy of license \$ 5
- (5) Application for additional classifications
 (Fee shall be charged for each application. More than one classification may be requested on a single application without additional fee.) \$ 25
- (6) Inactive license fee (in lieu of renewal fee) \$ 20
- (b) The biennial fee or inactive license fee shall be paid to the contractors

license board on or before April 30 of each even-numbered year. Failure, neglect, or refusal of any licensee to pay the biennial renewal fee before such date shall constitute a forfeiture of his 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.

Upon written request by a contractor and for good cause, the board shall place an active license in an inactive status. The license, upon payment of the biennial inactive license fee, may continue inactive for a period of three years after which time it must be reactivated or shall automatically become forfeited. The license may be reactivated at any time within the three-year period by ful-

filling the requirements for renewal, including the payment of the appropriate renewal fee.”

SECTION 10. Section 447-1, Hawaii Revised Statutes, is amended to read:

“**Sec. 447-1 Who may become dental hygienists.** Any person of good moral character being eighteen years of age or over and holding or having a diploma or a proper certificate of graduation from an accredited high school employing at least a four year course of instruction and likewise holding and having a diploma or proper certificate of graduation from an American training school for dental hygienists requiring at least a two year course, accredited and recognized by the board of dental examiners, may, upon written application made to and filed with the secretary of the board at least thirty days prior to the date selected by the board for the examination, be examined by the board for qualification as a dental hygienist.

The application for examination shall be accompanied by the applicant’s certificate of graduation, and at the time of filing the same, the applicant shall pay to the board an examination fee of \$30, which fee, together with all other fees or charges in this chapter provided, shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund.

Two examinations shall be held each year, one in February and one in August. The examinations shall be conducted in the English language and shall cover subjects considered essential by the board for a dental hygienist and shall likewise include a practical examination on the removal of deposits or stains from the exposed surfaces of the teeth. The board shall furnish a chair and engine, but the applicant shall supply all necessary instruments, materials, and patients for the examination.

If the applicant, in the opinion of the board, successfully passes the examination, he shall be registered and receive a certificate of ability to practice as a dental hygienist in the State. Every registered dental hygienist, before entering practice, shall pay the board \$4.50 as a registration fee. On or before December 31 of each odd-numbered year, every registered dental hygienist desiring to begin or continue to practice in the State shall pay to the board a fee of \$9 for the biennial registration thereof. The failure, neglect, or refusal of any such duly licensed dental hygienist to pay the biennial registration fee shall constitute a forfeiture of the license, but the license may be restored upon written application therefor and the payment to the board of the sum of \$20.

Every dental hygienist practicing dental hygiene in the State shall furnish the board with his place of employment and the name of the dentist or institution by whom he is employed.

No person shall practice dental hygiene, either gratuitously or for pay, or shall offer or attempt so to practice, or shall advertise or announce himself publicly or privately as prepared or qualified so to practice, without having a license as in this section provided, nor shall any licensed dental hygienist practice except under the supervision of a licensed dentist as in this chapter provided.”

SECTION 11. Section 448-7, Hawaii Revised Statutes, is amended to read:

“**Sec. 448-7 Fees.** Every person holding a license to practice dentistry in the State shall pay to the board on or before December 31 of each odd-numbered year, a biennial registration fee in the sum of \$21. The failure, neglect, or refusal of any duly licensed dentist or doctor of dental surgery to pay such biennial fee during the time his license remains in force, shall constitute a forfeiture of his license. The license may be restored upon written application therefor and the payment to the board of dental examiners of the sum of \$25. All fees received by the board shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund.”

SECTION 12. Chapter 448A, Hawaii Revised Statutes, is amended in the following manner:

(1) By amending section 448A-3, Hawaii Revised Statutes, to read:

“**Sec. 448A-3 License fee.** Every escort agency shall pay an original license fee of \$25 and a biennial renewal fee of \$50. The fee shall be paid to the director on or before July 1 of each even-numbered year. Failure to pay the biennial license fee shall constitute a forfeiture of license. Fees collected by the director shall be deposited in the general fund of the State.”

(2) By amending section 448A-7, Hawaii Revised Statutes, to read:

“**Sec. 448A-7 Termination of license.** Every license to conduct an escort agency shall be valid under the terms set forth in the license. The license shall expire on June 30 of each even-numbered year.”

SECTION 13. **Section 448E-8 Fees; biennial renewals.** (a) The fees for each original license and renewal thereof prescribed by this chapter shall be fixed by the board.

(b) The biennial renewal fee shall be paid to the board before July 1 of each even-numbered year. Failure, neglect, or refusal of any licensee to pay the biennial 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 14. Section 448H-8, Hawaii Revised Statutes, is amended to read:

“**Sec. 448H-8 License fees, renewals.** An applicant for a license or temporary permit to practice as an elevator mechanic shall pay a fee of \$10. A fee of \$5 is required for each re-examination. Application fees are not refundable.

Licenses shall expire on June 30 of each even-numbered year and the biennial license renewal fee shall be \$20.”

SECTION 15. Section 451A-8, Hawaii Revised Statutes, is amended to read:

“**Sec. 451A-8 Biennial renewal of license; fees; effect of failure to renew.** Each person who engages in the fitting and sale of hearing aids shall on or before December 31 of each odd-numbered year, pay to the department a biennial fee of \$10, for renewal of his license and shall keep the certificate conspicu-

ously posted in his office or place of business at all times. Where more than one office is operated by the licensee, duplicate certificates shall be issued by the department for posting at each location. A thirty-day grace period shall be allowed after December 31, during which time licenses may be renewed upon payment of \$20 to the department. After expiration of the grace period, the department may renew such certificates upon payment of \$30 to the department. No person who applies for renewal, whose license has expired, shall be required to submit to any examination as a condition to renewal; provided that the renewal application is made within two years from the date of expiration."

SECTION 16. Section 452-16, Hawaii Revised Statutes, is amended to read:

"Sec. 452-16 Renewal of certificate; fees. All certificates shall expire on June 30 of each even-numbered year following the date of issuance unless renewed for the next biennium. A certificate may be renewed by filing an application therefor, accompanied, in the case of an operator, by a renewal fee of \$15 and a medical report similar to that required on initial application and, in the case of a salon, by a renewal fee of \$15. The application shall be made between May 1 and June 30 of each even-numbered year. Failure to apply for renewal as herein provided shall constitute a forfeiture of the certificate as of the date of expiration. Any certificate so forfeited may be restored within three years after expiration upon the filing of an application in the same manner and payment, in addition to all delinquent fees, of a penalty of \$5."

SECTION 17. Section 453-6, Hawaii Revised Statutes, is amended to read:

"Sec. 453-6 Fees; expenses. No applicant shall be examined under this chapter until he has paid to the board of medical examiners a fee of \$125. As a prerequisite to the issuance of a limited and temporary license under this chapter, the applicant shall pay to the board a fee of \$25; provided, that the fee to be paid by an applicant qualifying under section 453-3(4) shall be \$5. Every person holding a license under this chapter shall reregister with the board biennially in each even-numbered year, not later than January 31 and for such registration shall pay a fee of \$15. Failure to do so shall constitute a forfeiture of license, which may be restored only upon written application therefor and payment to the board of a fee of \$25. All such fees shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund."

SECTION 18. Section 455-8, Hawaii Revised Statutes, is amended to read:

"Sec. 455-8 License to practice; biennial registration. Licenses to practice naturopathy shall be issued by the board in such form as the board determines, to those who qualify according to this chapter. Naturopathy physicians licensed under this chapter shall observe and be subject to all state regulations relative to reporting births and deaths and all matters pertaining to the public health with equal rights and obligations as physicians, surgeons, and practitioners of other schools of medicine. Every person holding a license to practice

in the State shall reregister with the state board of examiners in naturopathy on or before December 31 of each odd-numbered year and shall pay a reregistration fee of \$15. The failure to so reregister and pay the reregistration fee constitutes a forfeiture of license; provided that the license shall be reinstated upon written application therefor together with payment of all delinquent fees and the sum of \$75."

SECTION 19. Section 457-9, Hawaii Revised Statutes, is amended to read:

"Sec. 457-9 Renewal of license. The license of every person licensed under this chapter shall be renewed biennially, except as hereinafter provided. Biennially in each odd-numbered year on or before July 1, the board shall mail an application for renewal of license to every person to whom a license was issued or renewed during the biennium. The applicant shall fill in the application blank and return it to the board with a renewal fee of \$10 before June 30. Upon receipt of the application and fee the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the biennium beginning July 1 and expiring two years hence on June 30. Such renewal shall render the holder thereof a legal practitioner of nursing for the period stated on the renewal form.

Any licensee who allows his or her license to lapse by failing to renew the license as provided above may be reinstated by the board on satisfactory explanation of the failure to renew and on payment of the renewal fee and a penalty fee of \$5.

Any person practicing nursing during the time his or her license has lapsed shall be considered an illegal practitioner and shall be subjected to the penalties provided for violations of this chapter.

A nurse who does not engage in nursing in the State during the succeeding year shall not be required to pay the renewal fee as long as he or she remains inactive. Should he or she wish to resume nursing at some future time he or she shall so notify the board and remit the renewal fee for the current biennial period."

SECTION 20. Section 457B-9, Hawaii Revised Statutes, is amended to read:

"Sec. 457B-9 Fees. An applicant for a license to practice nursing home administration by examination shall pay a fee of \$40. A fee of \$20 is required for each reexamination. Application fees shall not be refundable.

The biennial fee for a temporary license or a renewal of license shall be \$50. The biennial renewal fee shall be paid to the board on or before June 30 of each even-numbered year. Failure, neglect, or refusal of any duly licensed nursing home administrator to pay the biennial renewal fee shall constitute a forfeiture of the nursing home administrator's license. The license may be restored within 3 years upon written application therefor and the payment to the board of all delinquent fees plus a penalty of \$10 and evidence of participation in educational programs.

All fees and other moneys collected or received under this chapter shall be deposited by the director of regulatory agencies with the director of finance

to the credit of the general fund.”

SECTION 21. Section 458-8, Hawaii Revised Statutes, is amended to read:

“Sec. 458-8 Expiration and renewal. Certificates issued under this chapter, unless sooner suspended or revoked, expire on July 1 of each even-numbered year, but may be biennially renewed by the certificate holders in good standing upon the payment of a biennial renewal fee of \$30. The holder of an expired certificate may have the same restored within one year of the date of expiration upon due application therefor and payment of the delinquent fees and a penalty of \$10.”

SECTION 22. Section 459-7, Hawaii Revised Statutes, is amended to read:

“Sec. 459-7 Examination; certificate of registration. Except as otherwise provided in this chapter, every person desiring to begin or to continue the practice of optometry shall, before beginning or continuing such practice, upon presentation of satisfactory evidence, verified by oath, that he is at least eighteen years of age, is a citizen of the United States, is a graduate of a high school, is a graduate of an American optometric college, school, or university recognized and approved by the board of examiners in optometry and the American optometric association, take an examination before the board upon complying with the following requirements:

Applications for examination shall be made out and filed in writing with the secretary of the board and each application shall be accompanied by a fee of \$30, which shall be retained by the board.

Each applicant shall file, in writing, with the secretary at least thirty days prior to the date selected by the board for such examination, the following credentials:

- (1) A diploma or certificate of graduation from an American optometric college or school recognized and approved by the board;
- (2) A certificate that the applicant is of good moral character. Certificates of good moral character for applicants who are licensed in some other state of the United States shall bear the signatures and seals of the secretary of the board of optometric examiners, and the secretary of the state optometric association of that state;
- (3) An unretouched unmounted recent photograph of the applicant.

The applicants shall be given due notice of the date and place of examination. No applicant who fails to obtain an average of seventy per cent in every subject upon which he is examined shall be passed by the board. If an applicant, because of his failure to pass an examination is refused a license, he shall, within one year, be permitted to take a second examination without additional fee. If an applicant fails the second time, he shall be required to file a new application and to pay an additional fee of \$30. If an applicant fails the third time or any subsequent time, he shall be required to file a new application and to pay an additional fee of \$30 and to take a complete examination.

An appeal to the circuit court, of the circuit within which the applicant resides, may be taken from any decision of the board by any applicant who is re-

fused or denied a certificate.

Every candidate who passes an examination shall be registered as possessing the qualifications required by this chapter, and shall receive from the board a proper certificate of registration. Before any certificate is issued it shall be numbered and recorded in a book kept by the secretary of the board of examiners in optometry.

Each registered optometrist shall pay a biennial license fee of \$15 between December 1 and December 31 of each odd-numbered year, to the treasurer of the board for a renewal of his registration certificate for the biennium. The failure of any regular licensed optometrist to pay his biennial license fee in advance on or before December 31 of each odd-numbered year, during the time his license remains in force, shall ipso facto, work a revocation and forfeiture of his license. Any person whose license is so revoked and forfeited shall pay a penalty of \$25 for the restoration of his license, and, in addition, all delinquent biennial license fees. When an application for restoration of a license is made and all delinquent license fees and penalties are paid within three years after the forfeiture no examination shall be required. If this is not done within three years, the license shall not be restored unless the regular examination for applicants is passed by such person.

Each registered optometrist shall submit proof to the board of examiners that he did, on or before December 31 of each even-numbered year, during the time his license remains in force, meet the requirement of continuing education in programs as set and approved by the board. The board shall establish such rules and regulations for the certification of the administration of the continuing education program.”

SECTION 23. Section 460-5, Hawaii Revised Statutes, is amended to read:

“**Sec. 460-5 Fees.** (a) License fee. No applicant for a license to practice as an osteopathic physician or as an osteopathic physician and surgeon shall be examined until he has paid to the board of osteopathic examiners a fee of \$50.

(b) Renewal fees. Section 460-2 and any other provisions of this chapter to the contrary notwithstanding, there shall be paid to the board by every person licensed to practice as an osteopathic physician or an osteopathic physician and surgeon, biennially in each even-numbered year on or before June 30, a renewal fee in the amount of \$15. Failure of any licensee to pay any renewal fee shall work a forfeiture of his license. Licenses forfeited by this section shall be reissued upon payment of a penalty of \$5 and all fees which the licensee would have paid if he had continuously renewed his license.

(c) Disposition of fees. All fees collected by the board shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund.”

SECTION 24. Section 460J-14, Hawaii Revised Statutes, is amended to read:

“**Sec. 460J-14 Fees; biennial renewal.** The fee for each original license and renewal prescribed by this chapter shall be \$25 and \$50, respectively.

The biennial renewal fee shall be paid to the board on or before June 30 of each year. Failure, neglect, or refusal of any duly licensed operator to pay the biennial renewal fee shall constitute a forfeiture of his license. Any such license may be restored upon written application therefor within one year from such date and the payment of the delinquent fee plus an amount equal to ten per cent thereof.

All fees and other money collected or received under this chapter shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund."

SECTION 25. Chapter 461, Hawaii Revised Statutes, is amended in the following manner:

(1) By amending section 461-8, Hawaii Revised Statutes, to read:

"Sec. 461-8 Renewal of licenses. (a) Renewal required. All licenses issued by the board of pharmacy except temporary licenses issued under section 461-7, shall expire on December 31 of each odd-numbered year next following the date of issuance of the same.

(b) Renewal fee. Every registered pharmacist shall pay to the treasurer of the board biennially between December 1 and December 31 a renewal fee of \$24 for the biennium next following. The payment of the renewal fee shall entitle the registrant to renewal of his license.

(c) Renewal after lapse. Any holder of any expired license may be reinstated as a registered pharmacist upon payment of a penalty of \$30 and all fees which he would have paid if he had continuously renewed his license."

(2) By amending section 461-16, Hawaii Revised Statutes, to read:

"Sec. 461-16 Fees for permits; renewal. The board of pharmacy shall collect a fee of \$18 for each permit to operate a pharmacy or to conduct or engage in the business of preparing, manufacturing, compounding, packing, or repacking, any drug and a fee of \$37.50 for each permit to conduct a single auction.

Permits issued under sections 461-14 and 461-15 shall be conspicuously displayed in the place for which the permit was granted. The permits shall not be transferable, shall expire on December 31 of each odd-numbered year following the date of issuance, and shall be renewed biennially. The biennial renewal fee for each permit to operate a pharmacy or to conduct or engage in the business of preparing, manufacturing, compounding, packing, or repacking any drug shall be \$36. The holder of an expired permit may have the same restored within three years of the date of expiration upon due application therefor and payment of the delinquent fees and a penalty of \$36."

SECTION 26. Section 463E-5, Hawaii Revised Statutes, is amended to read:

"Sec. 463E-5 Fees; expenses. No applicant shall be examined under this chapter until he has paid to the board of medical examiners a fee of \$25. Every person holding a license under this chapter shall reregister with the board biennially in each even-numbered year, not later than January 31 and for such registration shall pay a fee of \$10. In addition, upon reregistering with the board, the licensee shall provide written proof of a minimum of forty hours of

postgraduate work or continuing education of podiatry taken during the previous biennium. Failure to comply with this section shall constitute a forfeiture of license, which may be restored only upon written application and payment to the board of a fee of \$25. All fees collected shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund."

SECTION 27. Section 463-10, Hawaii Revised Statutes, is amended to read:

"Sec. 463-10 Licenses and renewal of licenses. The license shall state the name and address of the principal office or place of business of the licensee, the name under which the licensed business is to be conducted, and the name of the principal detective or guard, if the licensee is a corporation.

The holder of a license issued by the board of detectives and guards who continues in active practice shall biennially renew his license and pay the renewal fee not later than June 30 of each even-numbered year.

The holder of an expired license may have the same restored within one year of the date of expiration upon due application therefor and payment of the delinquent fees and a penalty of \$37.50."

SECTION 28. Section 464-9, Hawaii Revised Statutes, is amended to read:

"Sec. 464-9 Applications for and certificates of registration; renewal. Application for registration shall be made upon blanks to be furnished by the board of registration of professional engineers, architects, and surveyors and shall be signed and sworn to be by the applicant. With each application there shall be paid to the board the sum of \$30 as an application fee, the fee to be nonreturnable after the application has been entered in the records of the board.

For each examination, or repetition thereof in whole or in part as shall be limited or permitted by the rules and regulations of the board, the candidate shall pay to the board a sum of \$25 as an examination fee; provided, where the candidate is eligible to take only that part of the examination pertaining to engineering fundamentals he shall pay \$20. The fee paid shall not be refundable; provided, if a candidate after having paid the fee is unable for any reason beyond his control to participate in the examination, the board may extend the time of the candidate's participation to the next regular examination date and credit the candidate the amount of the fee paid.

Upon qualifying for registration, the applicant shall pay the sum of \$15 as a registration fee, and upon receipt thereof by the board shall thereupon be registered as a professional engineer, architect, land surveyor or landscape architect, and shall receive a certificate thereof from the board signed by the chairman and secretary.

Every person registered who, as an individual or as a member of a firm or corporation, conducts an office or other place of business for the practice of his profession shall display his original certificate in a conspicuous manner, in his principal office or place of business.

Every certificate of registration expires on April 30 of each even-num-

bered year following its issuance and becomes invalid after that date unless renewed. The secretary of the board shall mail, at least one month in advance of the date of expiration of the certificate of registration, a notice to every person registered hereunder giving the date of expiration and the amount required for the renewal thereof. The fee for renewal shall be \$30 for each renewal certificate. Certificates of registration which have expired for failure to pay renewal fees on or before the date hereinabove required may be reinstated within one year of the expiration date upon payment of a fee of \$60 for each renewal certificate."

SECTION 29. Chapter 465, Hawaii Revised Statutes, is amended in the following respects:

(1) By amending section 465-8, Hawaii Revised Statutes, to read:

"Sec. 465-8 Certificates, issuance, display. Upon the board of certification for practicing psychologists forwarding to the director the name of each applicant who is entitled to a certificate under this chapter and upon receipt of the prescribed fee, the director shall promptly issue to each such applicant a certificate authorizing him to engage in the practice of psychology for a period of two years. The certificate shall be in such form as the director shall determine. A certified psychologist shall display his certificate in a conspicuous place in his principal place of business."

(2) By amending section 465-11, Hawaii Revised Statutes, to read:

"Sec. 465-11 Renewals. Every certificate issued under this chapter shall be renewed biennially on or before June 30 of each even-numbered year. Failure to renew a certificate shall suspend the certificate; provided that a psychologist whose certificate has been suspended for failure to renew may reinstate the certificate by payment of the renewal fee for the biennium in which the failure occurred, and provided that the period of suspension is not greater than one year. If certification has lapsed for more than one year, the person may reapply for a certificate in the manner prescribed in the previous sections of this chapter."

(3) By amending section 465-12, Hawaii Revised Statutes, to read:

"Sec. 465-12 Fees; disposition. The fees required by this chapter, none of which is refundable, shall be as follows:

- (1) Application fee \$10
- (2) Examination fee 25
- (3) Certificate fee 15
- (4) Renewal fee 30
- (5) Temporary permit fee 15

All fees shall be paid to the director of regulatory agencies and shall be deposited by him with the director of finance to the credit of the general fund."

SECTION 30. Chapter 466, Hawaii Revised Statutes, is amended in the following manner:

(1) By amending section 466-5, Hawaii Revised Statutes, subsection (a) to read:

"(a) Issuance. A person (1) who has attained eighteen years of age, (2) who is of good moral character, and (3) who meets the educational and exami-

nation requirements hereinafter provided in this section, shall, upon application to the board, be issued a certificate of "certified public accountant." The board shall maintain a list of all persons to whom such certificates are issued. Such certificates shall be effective for a period not exceeding two years and shall be renewable biennially upon application to the board."

(2) By amending section 466-6, Hawaii Revised Statutes, to read:

"Sec. 466-6 Registration of public accountant. (a) Registration. A person (1) who has attained eighteen years of age, (2) who is of good moral character, (3) who was serving in the armed forces of the United States on June 15, 1955, (4) who was a resident of the Territory of Hawaii at the time of entering such service in the armed forces, and (5) who at the time of entering such service met the requirements set forth in paragraph (A), (B) or (C) of this subsection, shall, upon application to the board within six months after honorable discharge or release from such service, be registered by the board as a "public accountant":

- (A) Any person who held himself out to the public as being engaged in the practice of public accountancy and who was engaged in the practice of public accountancy as his principal occupation, either on his own account or as a member of a firm or as an employee of a certified public accountant or public accountant and regularly assigned to accountancy engagements.
- (B) Any person who was engaged in accounting or auditing work in the Territory of Hawaii as an employee of the United States, of the Territory or of any county in a position in grade GS-9 under the territorial classification schedule in effect on March 1, 1955, or the equivalent or higher grade.
- (C) Any person who was engaged in private accounting or auditing who has had not less than three years' experience in such work or in public accounting or both and whose experience was of such a character and for a length of time sufficient in the opinion of the board to be substantially equivalent to three years of public accounting experience.

The board shall maintain a list of all persons who are so registered. Such registrations shall be effective for a period not exceeding two years and shall be renewable biennially upon application to the board.

(b) Existing registrations. A person who, on January 1, 1974, holds a registration of public accountant under the laws of this State theretofore existing, shall not be required to register again under this chapter, but shall otherwise be subject to all the provisions of this chapter; and such previous registration shall, for all purposes, be considered registration under this chapter and subject to the provisions hereof."

(3) By amending section 466-7, Hawaii Revised Statutes, to read:

"Sec. 466-7 Permits to practice. (a) Biennial practice permits. A person (1) who is holding a current certificate of certified public accountant or a current registration as a public accountant, (2) who has had at least one year's experience in any state of the United States with a person or firm in the practice of public accounting, and (3) who has complied with continuing education re-

quirements established by regulation of the board, shall, upon application to the board, be issued a permit to practice public accountancy in this State; provided, however, that the experience requirement set forth in (2) above shall not apply after December 31, 1978, or to any person who has met the educational requirements set forth in section 466-5(b) (2). Such permit to practice shall be effective for a period not exceeding two years.

(b) Temporary practice permits. A person (1) who has attained eighteen years of age, (2) who is of good moral character, (3) who holds a valid certificate of certified public accountant or a valid registration as a public accountant issued under the laws of another state, or who holds a valid certificate, license or degree of a foreign country determined by the board to be a recognized qualification for the practice of public accountancy in such other country, and (4) who, incidental to his practice in such other state or country, desires to practice public accountancy in this State on a temporary basis, shall, upon application to the board, be issued a temporary practice permit. Such permit shall be effective for a period not exceeding three months, and shall specify the nature and extent of the practice so permitted."

(4) By amending section 466-8, Hawaii Revised Statutes, to read:

"Sec. 466-8 Fees. (a) Examination. An applicant for admission to the examination described in section 466-5(d) shall pay a fee with such application for admission in such amount as the board shall prescribe by regulation. The board may also prescribe by regulation the terms and conditions upon which an applicant who is unable to attend such examination may receive a credit in the amount of the fee paid toward a subsequent examination.

(b) Issuance of certificate or registration. An applicant for the issuance of a certificate of certified public accountant under section 466-5(a) or a registration of public accountant under section 466-6(a) shall pay a fee with such application in such amount as the board shall prescribe by regulation.

(c) Renewal of certificate or registration. An applicant for the renewal of a current certificate of certified public accountant under section 466-5(a) or for the renewal of a registration of public accountant under section 466-6(a) shall pay a fee of \$30 biennially in each odd-numbered year on or before December 31. An applicant for the renewal of a certificate of certified public accountant or for the renewal of a registration of public accountant which is not current under the provisions of this chapter or under the laws of this State theretofore existing shall pay a fee with such application for renewal in an amount equal to twice the amount of the fees which the applicant would have paid had he timely renewed such certificate or registration since the date it was last current.

(d) Biennial permits to practice. An applicant for the issuance of a biennial permit to practice under section 466-7(a) who is in the practice of public accountancy in his own name as a sole proprietor, or as a partner of a partnership in the practice of public accountancy, or as a shareholder of a corporation in the practice of public accountancy, shall pay a fee with such application in the amount of \$30. All other applicants for the issuance of a biennial permit to practice shall pay a fee of \$10.

(e) Temporary permits to practice. An applicant for the issuance of a

temporary permit to practice under section 466-7(b) shall pay a fee with such application in the amount of \$30.

(f) Disposition of fees. All fees and other monies received by the board pursuant to the provisions of this chapter shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund."

SECTION 31. Section 467-11, Hawaii Revised Statutes, is amended to read:

"Sec. 467-11 Fees; original license and biennial renewals. The fee for any license prescribed by this chapter shall be as follows:

- (1) To act as a real estate broker, \$50, \$5 of which shall be deposited in the real estate education fund;
- (2) To act as a real estate salesman, \$50, \$5 of which shall be deposited in the real estate education fund;
- (3) Biennial renewal for broker, \$100, \$10 of which shall be deposited in the real estate education fund;
- (4) Biennial renewal for salesman, \$50, \$10 of which shall be deposited in the real estate education fund;
- (5) To obtain a branch office license, \$50;
- (6) To reinstate a suspended license, \$25;
- (7) Biennial renewal of inactive broker license, \$100, \$10 of which shall be deposited in the real estate education fund;
- (8) Biennial renewal of inactive salesman license, \$50, \$10 of which shall be deposited in the real estate education fund.

A fee of \$10 shall be charged for the reissuance of a lost license, or for the reissuance of license when there has been a change in the licensee's name or for the reissuance of a license when there has been a change in the business address, or, in the case of a salesman, when he is employed by a different broker.

The biennial renewal fee shall be paid to the real estate commission on or before December 31 of each even-numbered year. Failure, neglect, or refusal of any duly licensed real estate broker or real estate salesman to pay the biennial renewal fee shall constitute a forfeiture of the license of the broker or salesman. The license of the broker or salesman may be restored upon written application therefor and the payment to the commission of the delinquent fee and a penalty fee of \$10.

A broker or salesman may place his license on an inactive status upon payment of the proper fee, and such license may be renewed biennially on or before December 31 of each even-numbered year.

All fees and other moneys collected or received under this chapter shall be deposited by the director of regulatory agencies with the director of finance to the credit of the general fund.

The commission may refund any fee erroneously paid to it under the provisions of this section and section 467-9 when the commission deems it just and equitable."

SECTION 32. Chapter 467A, Hawaii Revised Statutes, is amended in

the following manner:

(1) By amending section 467A-3, Hawaii Revised Statutes, to read:

"Sec. 467A-3 License fee. (a) Every rental agency shall pay an original license fee of \$25 and a biennial renewal fee of \$50 to the director on or before July 1 of each even-numbered year.

(b) Failure to pay the biennial license fee shall constitute a forfeiture of license.

(c) Fees collected by the director shall be deposited in the general fund of the State."

(2) By amending section 467A-7, Hawaii Revised Statutes, to read:

"Sec. 467A-7 Termination of license. Every license to conduct a rental agency shall be valid under the terms set forth in the license. The license shall expire on June 30 of each even-numbered year."

SECTION 33. Section 468E-14, Hawaii Revised Statutes, is amended to read:

"Sec. 468E-14 Renewal of license. (a) Licenses issued under this chapter expire at midnight, December 31 of each odd-numbered year if not renewed.

(b) Every person licensed under this chapter shall, on or before December 31, 1975 and each odd-numbered year thereafter, pay a fee for renewal of his license to the board. The board may, in the event payment of the renewal fee is rendered after December 31 of any odd-numbered year, renew a license upon payment of the renewal of license fee plus a late renewal payment penalty, which penalty shall equal the amount prescribed by the board according to the authority vested in it by section 468E-15 of this chapter, multiplied by the number of full months which have elapsed since expiration of the license. No person who requests renewal of license, whose license has expired, shall be required to submit to examination as a condition to renewal, if such renewal application is made within two years from the date of such expiration.

(c) A suspended license is subject to expiration and may be renewed as provided in this section, but such renewal shall not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other conduct or activity in violation of the order or judgment by which the license was suspended.

(d) A license revoked on disciplinary grounds is subject to expiration as provided in subsection (2) of this section, but it may not be renewed. If such license is reinstated after its expiration, the licensee, as a condition of reinstatement, shall pay a reinstatement fee in an amount equal to the renewal fee in effect on the last preceding regular renewal date before the date on which it is reinstated plus the late renewal payment penalty defined in subsection (b) of this section.

(e) Any person who fails to renew his license within the five years after the date of its expiration may not renew it, and it may not be restored, reissued, or reinstated thereafter, but such person may apply for and obtain a new license if he meets the requirements of this chapter."

SECTION 34. Section 471-9, Hawaii Revised Statutes, is amended to read:

“Sec. 471-9 Licenses. (a) Initial licenses. Except as hereafter provided, the board of veterinary examiners shall issue a license to engage in the practice of veterinary medicine to all persons meeting the requirements of this chapter.

(b) Expiration. All licenses issued by the board shall expire on June 30 of each even-numbered year next following the date of issuance.

(c) Renewal. Every veterinarian shall pay to the treasurer of the board biennially in each even-numbered year between the first and last days of June a renewal fee in such amount as shall, from time to time, be established by the board. The board shall establish the renewal fee upon the basis of the amount of funds necessary for the administration of this chapter. The fee, however, shall not exceed \$30. The payment of the renewal fee shall entitle the veterinarian to renewal of his license.

(d) Renewal after lapse. Any holder of an expired license may be reinstated as a veterinarian upon payment of the renewal fee and a penalty of \$25.

(e) Military service. Notwithstanding any other provision hereof, no license shall expire while the holder thereof is serving on active duty in the armed forces of the United States during any emergency declared by the President or Congress and six months after the termination thereof.

SECTION 35. Notwithstanding any law or statute to the contrary, the original or initial permit, certificate or license issued by any board, commission, or the director of regulatory agencies to any person shall be effective from the date of issuance to the expiration date of the biennial renewal period in which such permit, certificate, or license was originally issued. The fees to be paid by any person upon the issuance of the original or initial permit, certificate, or license shall be the fee as provided for in the applicable statutes or the rules and regulations of the board and one-half of the biennial renewal fee if application for such permit, certificate or license is made during the first year of the biennium; if application is made within the second year of the biennium, the fee shall be the original or initial fee as provided for by statutes or the rules and regulations of the board.”

SECTION 36. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 37. This Act shall take effect in the following manner: Biennial renewal of licenses shall take effect commencing in 1976 for all licenses expiring on February 1, May 1, and July 1 except for biennial renewal of nurses license which shall take effect commencing in 1977; and biennial renewal of licenses shall take effect commencing in 1977 for all licenses expiring on January 1 except for biennial renewal of real estate licenses which shall take effect commencing in 1976. Except as provided above, this Act shall take effect upon approval.

(Approved May 17, 1975.)

*Edited accordingly.