



GOV. MSG NO. 839

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

May 21, 2007

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 21, 2007, the following bill was signed into law:

SB1425 SD2 HD1 CD1

A BILL FOR AN ACT RELATING TO CONTRACTOR
LICENSING REQUIREMENTS DURING A STATE OF
EMERGENCY OR DISASTER.
(ACT 081)

Sincerely,



LINDA LINGLE

Approved by the Governor

on MAY 21 2007

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

ACT 081

S.B. NO. 1425
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO CONTRACTOR LICENSING REQUIREMENTS DURING A STATE OF EMERGENCY OR DISASTER.

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

1 SECTION 1. Section 444-10.6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[+] §444-10.6 [.]~~ State of emergency or disaster; ~~[acting~~
4 ~~as a contractor without a license; penalty.]~~ emergency
5 licensure; penalties. (a) Notwithstanding any other provision
6 of law to the contrary, the board may issue emergency
7 contractor's licenses during a state of emergency or disaster
8 duly declared by the governor under chapter 209 upon a
9 determination by the board that a shortage of Hawaii licensed
10 contractors exists.

11 (b) To qualify for an emergency contractor's license, an
12 applicant shall:

13 (1) Provide proof of licensure as a contractor in another
14 state with similar contractor licensing requirements
15 as those in this State, that the license is current,
16 and that it has been in good standing for the past two
17 years;



- 1 (2) Provide proof of liability and property damage
2 insurance, obtained through an insurer authorized to
3 do business in this State or other insurer acceptable
4 to the board;
- 5 (3) Submit proof of workers' compensation insurance as
6 specified in the board's rules;
- 7 (4) Submit a current financial statement prepared by a
8 certified public accountant and applicable credit
9 reports as specified in the board's rules;
- 10 (5) Pay all applicable application and license fees,
11 including recovery fund and education fund fees;
- 12 (6) Submit a state tax clearance statement; and
- 13 (7) Provide proof of bond in the amount and in such form
14 as set forth in section 444-16.5.
- 15 (c) The classifications of emergency contractor's licenses
16 issued and the duration of the emergency contractor's licenses
17 shall be determined by the board based on the nature and
18 duration of the state of emergency or disaster, and the needs
19 and best interests of the public.
- 20 (d) The board may delegate the issuance of emergency
21 contractor's licenses to its administrative staff; provided that



1 the applicant shall be required to meet all of the requirements
2 specified in this section before the issuance of the license.

3 (e) Any person who violates section 444-9, in connection
4 with the offer or performance of repairs to a residential or
5 nonresidential structure for damage caused by a natural disaster
6 in a political subdivision for which a state of emergency or
7 disaster is proclaimed by the governor, may be punished by a
8 fine of up to \$10,000, [~~or~~] imprisonment up to one year, or
9 both, in addition to all other remedies or penalties."

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.



GOVERNOR OF THE STATE OF HAWAII

Approved this day: MAY 21 2007

