

A Bill for an Act Relating to Boards and Commissions.

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

SECTION 1. Section 436D-7, Hawaii Revised Statutes, is amended to read as follows:

“§436D-7 Fees and expenses. No applicant shall be examined and licensed under this chapter until [he] the applicant has paid [to] the board of acupuncture [a fee of \$60.] application, examination, and license fees. Every person holding a license under this chapter shall reregister with the board biennially, not later than December 31 of each odd-numbered year, and [for such registration] shall pay a [fee of \$20.] renewal fee. 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.] restoration fee. All [such] fees shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 2. Section 437-7, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) A person applying for a salesman’s license under this section shall be granted a temporary license by the executive secretary of the board, provided no patent disqualification of the applicant is disclosed or no valid objection to the granting of the temporary license is apparent and if all requirements relative to the filing of the application appear to have been met, including compliance with section 437-21, and the dealer files an affidavit certifying that this person is employed by and under the supervision of [such] the dealer. A fee [of \$10] shall be charged for the issuance of the temporary license, as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91, and [such] the license shall remain in effect until the board acts on [his] the application for a permanent license.”

SECTION 3. Section 437-7, Hawaii Revised Statutes is amended by amending subsection (d) to read as follows:

“(d) [Filing fees.] All applicants for the issuance of a new license shall pay a [\$25 filing] fee concurrently with each application, except the [filing] application fee for a new salesman’s or auctioneer’s license shall be [\$10.] a lesser amount than the fee for other licenses issued under this chapter. The application

fees shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91.”

SECTION 4. Section 437-22, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) [Authority to establish.] The [board] director of commerce and consumer affairs shall establish by rules [and regulations] in accordance with chapter 91, the original and biennial license fees for licenses issued pursuant to this chapter.”

SECTION 5. Section 437-25, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) [Fees.] The fees for amended licenses shall be [set by the board, by rules and regulations in accordance with] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91.”

SECTION 6. Section 437B-9, Hawaii Revised Statutes, is amended to read as follows:

“[[]§437B-9[]] Fees[;]; application; biennial renewals[.]; registration.

(a) The fees for each application, original biennial registration and renewal [thereof shall be as follows:

- Motor vehicle repair dealer \$ 50
- Motor vehicle mechanic.....\$ 20]

for the motor vehicle repair dealer and the motor vehicle mechanic shall be as provided in rules adopted by the department pursuant to chapter 91.

(b) Any motor vehicle repair dealer maintaining more than one motor vehicle repair facility shall separately register each repair facility and pay a fee for each facility.

(c) The renewal fee shall be paid to the board on or before June 30 of each odd-numbered year. Failure, neglect, or refusal of any registrant to pay the biennial renewal fee before [such] the date shall constitute a forfeiture of [his] the registration. Any [such] registration may be restored upon written application therefor within one year from [such] the date and the payment of the required fee plus an amount equal to fifty per cent thereof.”

SECTION 7. Section 437B-23, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The certification test shall include both a written test and a performance test; provided that the written test shall be given orally upon the request of the person being tested. Each application for certification shall be accompanied by a nonrefundable [testing] examination fee [of \$10.] as provided in rules adopted by the department pursuant to chapter 91.”

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SECTION 8. Section 438-11, Hawaii Revised Statutes, is amended to read as follows:

“§438-11 Fees. (a) [The fee to be paid by an applicant for an examination to determine the applicant’s 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 the applicant’s fitness to receive a certificate of registration to practice as an apprentice shall be \$10.] Applicants for barber and apprentice barber certificates of registration shall pay application, examination, and registration fees.

(b) [The fee to be paid for the renewal of the certificate of registration to practice barbering shall be \$10, and for the restoration of an expired certificate \$10.] Applicants for renewal of certificates to practice barbering and to practice as an apprentice and applicants for restoration of expired certificates shall pay the required fees.

(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) (c) [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.] Applicants to conduct a barber shop shall pay application and registration fees. Applicants for biennial renewal of a certificate to conduct a barber shop and for the restoration of an expired certificate shall pay the required fees.

(e) (d) A duplicate certificate shall 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 the applicant of one signed photograph of the applicant, and the payment of a duplicate 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.

(e) All fees [received by the board of barbers] required by this chapter shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 9. Section 439-10, Hawaii Revised Statutes, is amended to read as follows:

“§439-10 Apprentices, students, and instructor-trainees. An apprentice, student, or instructor-trainee shall be registered and given a certificate to that effect upon payment of application and [payment of a fee of \$3] registration fees and submission of evidence satisfactory to the board of cosmetology that the applicant is at least sixteen years of age, of good moral character, is possessed of

an education equivalent to the completion of four years of high school and, in the case of an instructor-trainee, has the required three years of experience as a registered operator.”

SECTION 10. Section 439-12, Hawaii Revised Statutes, is amended to read as follows:

“§439-12 **Requisites for admission to examination and registration.** The executive secretary of the board of cosmetology shall determine the sufficiency of the preliminary qualifications of applicants for admission to examinations and registration. The following preliminary qualifications shall be sufficient:

- (1) An operator may be registered in any of the classified practices or occupations under this chapter upon the payment of [an] application, examination [fee of \$20], and registration fees for each of the practices or occupations or any one or any combination of the practices or occupations, provided the operator is of good moral character and has an education equivalent to the completion of four years of high school and has either (A) served the required time as an apprentice under the supervision of a registered operator or instructor, as determined by the board for any one or combination of the practices but not less than one year including two thousand hours for each of the two classified occupations; or (B) has acquired the equivalent training in a registered school, and has passed the prescribed examination or examinations to the satisfaction of the board; and provided further that an applicant to be registered solely in the practice of removing superfluous hair by the use of electricity and commonly known and defined as the practice of electrolysis, shall have trained under the supervision of a registered electrologist for at least six hundred hours including other studies as the board may prescribe; provided further that the removal of superfluous hair by use of an electrical instrument or device which neither touches nor penetrates the skin shall not constitute the practice of electrolysis for purposes of this section; and provided further that an applicant may be registered solely in the classified practice of a manicurist and an applicant so registered may engage in a classified practice in a barber shop, a beauty shop, or in the applicant’s own shop upon serving seven hundred hours of time as an apprentice under the supervision of a registered operator or instructor or three hundred fifty hours of training in a registered school and upon satisfying all the other requirements of this section; and provided further that an applicant may be registered solely as a “Hair Cosmetician” in the classified occupation of a cosmetician upon serving one thousand two hundred hours of time as an apprentice

under the supervision of a registered operator or instructor or six hundred hours of training in a registered school and upon satisfying all the other requirements of this section. Any applicant who fails an initial examination [after paying the initial examination fee of \$20,] shall thereafter pay [an] the examination fee [of \$10] for any subsequent examination.

Any person who has taken but has not successfully passed the examination or examinations prescribed by the board for any one or any combination of the practices or occupations but who has satisfied all the other requirements of this section may be registered as a "Junior Operator" and may work in a beauty shop under the supervision of a licensed operator in the practices or occupations in which the person has been examined so long as the person continues to take the prescribed examination or examinations in good faith. Failure or refusal on the part of a "Junior Operator" to take any prescribed examination or examinations shall be sufficient reason for the revocation of the registration by the board.

- (2) Instructors may be registered in any of the classified practices or occupations upon the payment of [an] application, examination [fee of \$20], and registration fees, provided the instructors are of good moral character and have completed a course satisfactory to the board in the theory and practice of education and have served actively for a period of at least three years as a registered operator in the State or in another jurisdiction having standards for registration in the particular practice or occupation substantially equivalent to those of the State and have passed an examination satisfactory to the board; provided that the board may at its discretion and without regard to the requirements of this section, issue and revoke a temporary certificate to any person holding a valid existing instructor's license in another territory, county, or state having standards substantially equivalent to those in force in the State at the time of the registration, for the limited purpose of either (A) commercially demonstrating in the State, any hair or cosmetic preparations or products identifiable by a trade name or trademark; or (B) instructing in hairstyling in a registered school or under the sponsorship of any organization approved by the board until the next following instructor's examination given by the board. Instructors duly registered under chapter 453, need not be holders of instructors certificates."

SECTION 11. Section 439-15, Hawaii Revised Statutes, is amended to read as follows:

“§439-15 Certificates of registration[.], fees. (a) [Certificates.] The board of cosmetology shall issue a certificate of registration as apprentice, student, ~~instructor-trainee~~, operator, or instructor, as the case may be, to each person who passes the required examination, pays the proper [fee,] ~~fees~~, 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 chairman and executive 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 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 the 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] ~~fee~~ if application is made within three years after lapse.

(e) All fees required by this chapter shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91.”

SECTION 12. Section 439-16, Hawaii Revised Statutes, is amended to read as follows:

“§439-16 Temporary certificates. The board of cosmetology may issue temporary certificates authorizing the person concerned to practice as an operator until the results of the next examinations have been published. The certificate may be issued upon application only to a person who has paid the usual application and examination [fee] ~~fees~~ and who possesses one of the following qualifications:

- (1) Is a graduate of a school and course which meet the standards established for schools in the State;
- (2) Has been, for three out of the four years immediately preceding the date of the application, lawfully engaged in another state, territory, or country in the occupation covered by the certificate sought;
- (3) Holds a valid and existing license to engage in the occupation covered by the certificate sought in a state, territory, or country having standards for registration substantially equivalent to those in force in the State at the time of the application.”

SECTION 13. Section 439-17, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) [Registration.] A certificate of registration of a beauty shop may be secured by filing an application therefor and paying [a fee of \$20] the application

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and registration fees and showing to the satisfaction of the board of cosmetology that the shop meets the standards of sanitation required by the rules of the department of health, that a registered managing operator who has practiced as a registered operator in the State for at least one year is in charge of the shop, and that it is adequately equipped for the practices in which it engages. The board may waive the requirement that the registered managing operator have practiced in the State, for at least one year, upon a showing that the person has had other experience as a managing operator equivalent to one year's practice in this State and upon further showing that the aforesaid requirement creates undue hardship on the shop."

SECTION 14. Section 439-17, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) [Renewal.] All certificates shall expire on December 31 in each odd-numbered year. Certificates may be renewed by payment of a biennial fee [of \$8] prior to the date of expiration. A lapsed certificate may be reissued upon payment of the renewal fee and a penalty [of \$10.] fee."

SECTION 15. Section 439-18, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) [Registration.] Any person may apply to the board of cosmetology for a certificate of registration as a school of any of the practices of the classified occupations, upon the payment to the board of [an] application and initial registration [fee] fees for the first year of the registration [in the sum of \$750]. Thereafter an annual registration fee shall be [paid to the board in accordance with the following schedule: if at no time during the preceding year the school had more than twenty-five pupils, then the fee shall be in the sum of \$150, and if at any time during the preceding year the school had twenty-six or more pupils, then the fee shall be in the sum of \$250.] based on student enrollment."

SECTION 16. Section 440-11, Hawaii Revised Statutes, is amended to read as follows:

"§440-11 **License fee; bond.** The application for a license to promote professional boxing contests or amateur boxing contests shall be accompanied by [an annual fee, or, by the fee required for a single promotion. The fee for an annual license or for a license covering some definite period less than one year shall be \$150 in the city and county of Honolulu and \$50 in each of the other counties. The fee for a single promotion shall be \$75 in the city and county of Honolulu and \$37.50 in each of the other counties. Applications for licenses to promote amateur boxing contests shall be accompanied by an annual fee of \$75 in the city and county of Honolulu and \$37.50 in each of the other counties.] a

fee as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91.

Before any license is granted, the applicant shall file with the boxing commission a bond in the sum of \$5,000 with good and sufficient sureties conditioned for the faithful performance by the applicant of this chapter. In case of default in the performance, the bond shall be forfeited and the full amount thereof, or any less amount as the commission may determine, shall be recovered by the attorney general in the name of the State and the amount so recovered shall be paid to any aggrieved party for monetary damages sustained as a result of the applicant's default in performance, as determined by the commission, with the remainder paid into the state treasury."

SECTION 17. Section 440-13, Hawaii Revised Statutes, is amended to read as follows:

"§440-13 License fees. [Every] License fees shall be paid annually to the State by every applicant to whom a license is issued to participate in the conduct of professional boxing in any of the capacities [hereinafter] set forth in this section [shall pay annually to the State a license fee as follows]: physician, [\$7.50;] referee, [\$37.50;] judge, [\$15;] matchmaker, [\$10;] manager, [\$37.50;] timekeeper, [\$7.50;] second, [\$7.50;] announcer, [\$7.50;] and professional boxer[, \$7.50]. The charge for a duplicate of a license [shall be \$1.50.] and all fees required by this chapter shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.

The [boxing commission] director of commerce and consumer affairs may establish a schedule of license fees for participation in amateur boxing contests, and may waive payment of license fees for amateur boxing contests."

SECTION 18. Section 442-2, Hawaii Revised Statutes, is amended to read as follows:

"§442-2 License to practice. (a) It shall be unlawful for any person to practice chiropractic without a license. Any person applying for a license to practice chiropractic shall submit an application to the board of chiropractic examiners sixty days prior to the examination[. The application shall be] accompanied by [an] the application and examination [fee of \$50 and such] fees, documents, and affidavits as are prescribed by law. The application shall be submitted in accordance with the rules of the board of chiropractic examiners and shall be signed and verified under oath by the applicant, and in addition thereto each applicant shall furnish to the board of examiners:

- (1) An unretouched, unmounted photograph taken within sixty days next preceding the date of the application;

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- (2) A photostatic copy of the diploma from a chiropractic college or school;
- (3) After March 1, 1958, satisfactory proof that the applicant has completed two years of liberal arts or science study at a university or college; provided that the foregoing requirement shall not be applicable to applicants having entered an approved chiropractic college on or before October 31, 1955.

(b) Except in the cases [herein] otherwise prescribed in this section each applicant shall be a graduate of an incorporated chiropractic school or college recognized and approved by the board, which teaches a course of not less than forty-two hundred, fifty minute hours, of which six hundred hours shall have been spent in practical work in a chiropractic college clinic under recognized instructors.

(c) The course shall extend over a period of four school terms of at least nine months each, and each applicant shall give satisfactory proof of having attended not less than ninety per cent of [such] the forty-two hundred hours and of having satisfactorily passed the following subjects[;]: anatomy and histology, physiology, bacteriology, hygiene and sanitation, pathology, chiropractic diagnosis or analysis, chiropractic orthopedy, gynecology and obstetrics, symptomatology, chemistry and elementary toxicology, chiropractic analysis and the principles and practice of chiropractic, and technique.

(d) Each applicant who successfully passes the examination shall pay a license fee."

SECTION 19. Section 442-6, Hawaii Revised Statutes, is amended to read as follows:

"§442-6 Examinations. (a) The board of chiropractic examiners shall meet as a board of examiners for the purpose of conducting examinations on the first Tuesday following the second Monday of April and October of each year, and the board shall meet otherwise regularly on the Thursday nearest the 15th day of March, May, September, and November, and at [such] other times and places as may be found necessary for the performance of its duties. The office of the board shall be in Honolulu.

Each applicant shall be designated by a number instead of the name, so that the applicant's identity will not be disclosed to the examiners until the papers are graded.

(b) The examinations shall be in subjects enumerated in section 442-2 and shall be designed to ascertain the fitness and qualifications of the applicant to practice chiropractic. The examination shall include both practical demonstration and a written examination. The board may accept an applicant who presents bona fide evidence as having passed the national board of chiropractic examiners' examination in lieu of the written portion of the state board of

[chiropractice] chiropractic examiners' examination. A license shall be granted to any applicant who attains a score of seventy-five per cent, or higher in all subjects and sections of the examination. Any applicant failing to make the required grade, may be reexamined at the next regular examination on all of the subjects mentioned in section 442-2, upon payment of a reexamination fee [of \$50]. For each year of actual practice as a licensed chiropractor in another state the applicant shall be given a credit of one-half per cent up to twenty years maximum to be added to each score for each subject area."

SECTION 20. Section 442-9, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) At any time following the suspension or revocation of a license, the board may restore [such] the license with all of its original rights and privileges. Any person to whom [such] these rights have been restored shall pay to the secretary [the sum of \$25] a restoration fee upon the issuance of a new license."

SECTION 21. Section 442-11, Hawaii Revised Statutes, is amended to read as follows:

"**§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] secretary 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, shall 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] the license; provided that the license shall be restored upon written application therefor together with a payment of all delinquent fees and [\$25,] a penalty fee, if [such] the application and payments are made within a period of one year from the date of the inception of [such] the delinquency. In the event, however, [such] the delinquency is permitted to continue over a period of one year, in addition to the foregoing requirements, [such] the person shall submit to and successfully pass a reexamination written or oral, conducted by the board at its regular meetings."

SECTION 22. Section 442-14, Hawaii Revised Statutes, is amended to read as follows:

"**§442-14 Change of residence.** Every holder of a license who leaves to reside outside the State, shall immediately notify the secretary of the board of chiropractic examiners of the change in writing and the change shall be noted in the secretary's registry book. Failure to do so constitutes a violation and works a

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forfeiture of [his] the license, and it shall not be restored except upon the written application therefor and a payment to the board of a penalty [of \$25.] fee.”

SECTION 23. Section 442-18, Hawaii Revised Statutes, is amended to read as follows:

“§442-18 Disposition of fees[.]; establishment of fees by rule. All moneys received by the board of chiropractic examiners under this chapter shall be paid to the director of finance as government realizations. All fees required by this chapter or in rules adopted by the board shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91.”

SECTION 24. Section 447-1, Hawaii Revised Statutes, is amended to read as follows:

“§447-1 Who may become dental hygienists[.]; fees. (a) Any person [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, may 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] application and examination [fee of \$30,] fees, which [fee,] fees, together with all other fees or charges in this chapter [provided], shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91, and shall be deposited with the director of finance to the credit of the general fund.

(b) Two examinations shall be held in each year at such time as the board designates. The examinations 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.

(c) If the applicant, in the opinion of the board, successfully passes the examination, [he] the applicant 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.] a restoration fee.

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

(d) 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 being 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 25. Section 448-7, Hawaii Revised Statutes, is amended to read as follows:

“§448-7 Fees. Every applicant qualified for registration shall pay a license fee before entering practice. 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] the biennial fee during the time [his] the license remains in force, shall constitute a forfeiture of [his] the 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 commerce and consumer affairs with the director of finance to the credit of the general fund.] appropriate fee.”

SECTION 26. Section 448-9, Hawaii Revised Statutes, is amended to read as follows:

“§448-9 Application for examination for graduates of dental colleges accredited by the American Dental Association. Any person of eighteen years or more, shall be eligible to take an examination before the board of dental examiners upon complying with the following requirements:

- (1) Submit an application in writing to the executive secretary of the board [no] not later than sixty days prior to the date of the scheduled examination.
- (2) Remit [an] application and examination [fee set by the board with each application, the fee to be deposited by the director of

commerce and consumer affairs with the director of finance to the credit of the general fund.] fees.

- (3) Submit with each application documentation and credentials which include but are not limited to the following:
 - (A) A recent unmounted photograph of the applicant;
 - (B) A diploma or certificate of graduation from a dental college accredited by the Council of Dental Education of the American Dental Association, recognized and approved by the board; and
 - (C) A certificate or other evidence satisfactory to the board of having passed [Parts] parts I and II of the examination of the National Board of Dental Examiners.”

SECTION 27. Section 448-9.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Any person of eighteen years or more, who is a graduate of a foreign dental school not accredited by the American Dental Association and a permanent resident of the United States shall be eligible to take an examination before the board of dental examiners upon complying with the following requirements:

- (1) Submit an application in writing to the executive secretary of the board [no] not later than sixty days prior to the date of the scheduled examination.
- (2) Remit [an] application and examination [fee set by the board with each application, said fee to be deposited by the director of commerce and consumer affairs with the director of finance to the credit of the general fund.] fees.
- (3) Submit with each application documentation and credentials which include but are not limited to the following:
 - (A) A recent unmounted photograph of the applicant;
 - (B) A complete transcript of the academic and clinical dental school record of the applicant, authenticated by either the president, secretary, dean, or registrar of the educational institution. The transcript shall be accompanied by an affidavit showing to the satisfaction of the board that the applicant is the person named in each transcript submitted, that the transcript is a true recital of the full number of academic years of undergraduate courses required for graduation, that such courses of professional instruction in dentistry were accomplished in a resident course of instruction;
 - (C) A legible, true copy of the dental diploma or dental degree conferred upon the applicant as evidence of the completion of

the courses of dental instruction required for graduation, authenticated by either the president, secretary, dean, or registrar of the educational institution. The diploma or degree shall be accompanied by an affidavit showing to the satisfaction of the board that the applicant is the person named in the document, that the applicant is the lawful holder, and that it was procured in the regular resident course of instruction and examination without fraud or misrepresentation;

- (D) Certification by the licensing authority of the governmental jurisdiction, wherein is located the foreign institution from which the applicant was graduated that the applicant has been admitted or licensed to practice dentistry in [such] that foreign state, country, or political subdivision;
- (E) A certificate or other evidence satisfactory to the board of having passed [Parts] parts I and II of the examination of the National Board of Dental Examiners; and
- (F) Other documentation and credentials as may be required by the board.”

SECTION 28. Section 448-10, Hawaii Revised Statutes, is amended to read as follows:

“§448-10 Examination; time[.]; establishment of fees by rule; disposition of fees. (a) The board of dental examiners shall require all applicants to take the state written and practical examination on dentistry. In administering the examination the State shall consider current trends in dental education. The requirements for the examination in operative and laboratory dentistry shall be decided by the board and mailed to each applicant. All instruments, materials, and patients shall be supplied by the applicant. Two examinations shall be held each year.

(b) The board of dental examiners shall establish and administer a restorative technique examination to all qualified applicants under section 448-9.5. The examination shall consist of preparation and restorative procedures in gold foil and amalgam on a special typodont model. No applicant shall be permitted to take the practical examination under subsection (a) unless the applicant has passed the restorative technique examination. The restorative technique examination fee, together with all other fees or charges in this chapter or in rules adopted by the board, shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91, and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 29. Section 448H-8, Hawaii Revised Statutes, is amended to read as follows:

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“§448H-8 [License fees, renewals.] Fees. [An applicant for a license or temporary permit to practice as an elevator mechanic shall pay a fee of \$10.] Application, examination, license, temporary permit, and biennial renewal fees shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91. A fee [of \$5] is required for each [re-examination.] reexamination. 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]. All fees received by the board pursuant to the provisions of this chapter shall be deposited with the director of finance to the credit of the general fund.”

SECTION 30. Section 451A-7, Hawaii Revised Statutes, is amended to read as follows:

“[[]§451A-7[]] Issuance of license. The board shall register each applicant without discrimination or examination who satisfactorily meets the experience requirements or who passes an examination as provided in section 451A-2. Upon the payment of [\$5,] application, examination, and license fees, the board shall issue to the applicant a license. The license shall be valid until January 30 of the year following the year in which the license is issued.”

SECTION 31. Section 451A-8, Hawaii Revised Statutes, is amended to read as follows:

“§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, shall pay to the department a biennial fee [of \$10,] for renewal of [his] the license and shall keep the certificate conspicuously posted in [his] the licensee’s 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] a restoration fee to the department. After expiration of the grace period, the department may renew [such] the certificates upon payment of [\$30] a second restoration fee 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 32. Section 451A-9, Hawaii Revised Statutes, is amended to read as follows:

“[[]§451A-9[]] Temporary permit. (a) Upon receiving an application for a temporary permit and a payment of [\$5,] a fee, the board may issue a temporary permit which shall entitle the applicant to engage in the fitting and

sale of hearing aids for a period of one year. A waiting period is not required. A person issued a temporary permit shall be under the direct supervision and training of a person duly licensed under this chapter.

(b) If a person who holds a temporary permit under this section has not passed the examination within one year from the date of issuance, the temporary permit may be renewed or reissued once upon payment of [a \$5] the required fee.”

SECTION 33. Chapter 451A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§451A- Disposition of fees; establishment of fees by rule. All fees required by this chapter shall be as provided in rules adopted by the department pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 34. Section 452-13, Hawaii Revised Statutes, is amended to read as follows:

“§452-13 Requisites for admission to examination and licensing of massage therapists, massage establishments, and out-call massage services. (a) [Massage therapist.] The executive secretary of the board shall determine the sufficiency of the preliminary qualifications of applicants for admission to examination and licensing.

- (1) An applicant for examination shall have good moral character, and a medical report which shall include an X-ray examination of the chest made, or a tuberculin clearance report dated, not more than six months prior to the date of application and a statement by a licensed physician that the applicant has been examined and is free of all other communicable and contagious diseases. A non-refundable application fee [of \$15] and an examination fee [of \$15], which shall be refunded only if the board finds that the applicant is not qualified to take the license examination, shall be paid to the board at the time of the application.
- (2) The board shall satisfy itself as to the good moral character of the applicant, may require the submission of certification as to good moral character by reputable citizens, and, in its discretion, may independently investigate the applicant’s moral character.
- (3) An applicant for examination shall have spent at least six months as a massage therapist apprentice and have met all other requirements set for apprentices by the board pursuant to section 452-6(d).
- (4) The board may waive the examination of an applicant upon the payment of the application fee and the submittal of a medical report as required in paragraph (1) if the applicant is licensed in another

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state, territory, or the District of Columbia, wherein the license requirements are found by the board to be comparable or more stringent than the requirements in force in this State.

(b) [Massage establishments and out-call massage services.] An applicant desiring to license a massage establishment or an out-call massage service shall file with the board a written application under oath, on a form prescribed and supplied by the board, and setting forth that [he] the applicant has complied with all of the requirements in [such] a manner and detail as may be required by the rules established by the board. A license fee [of \$100] shall be paid to the board together with the application fee [of \$15].”

SECTION 35. Section 452-15, Hawaii Revised Statutes, is amended to read as follows:

“§452-15 Licenses. If an applicant for an examination for massage therapist passes the examination to the satisfaction of the board, or the board has waived the examination under section 452-13(a)(4), and the applicant has paid a license fee [of \$25], the board shall issue a license to that effect, signed by the chairman. The license shall be evidence that the person to whom it is issued is entitled to follow the practice stipulated therein as prescribed in this chapter. The license shall not be transferable and shall be conspicuously displayed in the place of business or employment.”

SECTION 36. Section 452-16, Hawaii Revised Statutes, is amended to read as follows:

“§452-16 Renewal of license; fees. Massage therapist, massage establishment, and out-call massage service licenses shall expire on June 30 of each even-numbered year following the date of issuance unless renewed for the next biennium. A license may be renewed by filing an application therefor, accompanied, in the case of a massage therapist, by a renewal fee [of \$25] and a medical report similar to that required on initial application and, in the case of an establishment or out-call massage service, by a renewal fee [of \$100]. The application shall be made between May 1 and June 30 of each even-numbered year. Failure to apply for renewal as [herein] provided in this section shall constitute a forfeiture of the license as of the date of expiration. Any license so forfeited may be restored within one year after expiration upon the filing of an application in the same manner and payment, in addition to all delinquent fees, of a penalty [of \$25.] fee. Thereafter, the license shall not be restored unless the regular examination for applicants is again taken and passed.”

SECTION 37. Section 452-17, Hawaii Revised Statutes, is amended to read as follows:

“§452-17 Fees. The fees for application, examination, licensing, and other registrations shall be as provided in [this chapter,] rules adopted by the director of commerce and consumer affairs pursuant to chapter 91, and shall be paid in advance and deposited [by the director of commerce and consumer affairs] with the director of finance to the credit of the general fund.”

SECTION 38. Section 455-2, Hawaii Revised Statutes, is amended to read as follows:

“§455-2 Application for examination; fee. Any person desiring to practice naturopathy shall apply in writing to the state board of examiners in naturopathy upon a blank form prepared and furnished by the board and shall include in the application such facts concerning the applicant as the board shall require. Each application shall be filed by the applicant and sworn to before an officer authorized to administer oaths. At the time of the application each applicant shall pay an examination fee [of \$50[75]] to the department of commerce and consumer affairs which shall not be refunded if the applicant fails to pass the examination.

No person shall be licensed to practice naturopathy unless [he] the person has been duly examined and has passed [such] the examination.”

SECTION 39. Section 455-8, Hawaii Revised Statutes, is amended to read as follows:

“§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] requirements relative to reporting births 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 \$200]. 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.] and a penalty fee.”

SECTION 40. Chapter 455, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§455- Disposition of fees; establishment of fees by rule. All fees required by this chapter or rules adopted by the board shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to

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chapter 91. All fees shall be deposited with the director of finance to the credit of the general fund.”

SECTION 41. Section 457-7, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The applicant applying for a license to practice as a registered nurse by examination shall pay [a fee of \$30] application and examination fees to the board and a reexamination fee [of \$10] for each reexamination. Each applicant who successfully passes the examination shall pay a license fee. The applicant applying for a license to practice as a registered nurse by endorsement shall pay application and license fees.”

SECTION 42. Section 457-7, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) Any person who requests to take the licensing examination to qualify for a license in another state shall pay [a] an examination proctoring fee [of \$10] to the board.”

SECTION 43. Section 457-7, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) Any person who requests verification of a registered nurse license to a nursing board of another state shall pay a license verification fee [of \$5].”

SECTION 44. Section 457-8, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The applicant applying for a license to practice as a licensed practical nurse by examination shall pay [a fee of \$15] application and examination fees to the board and a reexamination fee [of \$10] for each reexamination. Each applicant who successfully passes the examination shall pay a license fee. The applicant applying for a license to practice as a licensed practical nurse by endorsement shall pay application and license fees.”

SECTION 45. Section 457-8, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) Any person who requests to take the licensing examination to qualify for a license in another state shall pay [a] an examination proctoring fee [of \$10] to the board.”

SECTION 46. Section 457-8, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) Any person who requests verification of a practical nurse license to a nursing board of another state shall pay a license verification fee [of \$5].”

SECTION 47. Section 457-9, Hawaii Revised Statutes, is amended to read as follows:

“§457-9 Renewal of license. (a) The license of every person licensed under this chapter shall be renewed biennially, except as [hereinafter] provided[.] in this section. 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] on or 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. The renewal shall render the holder thereof a legal practitioner of nursing for the period stated on the renewal form.

(b) Any licensee who allows a license to lapse by failing to renew the license as provided [above] in subsection (a) 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 the person’s 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 the nurse remains inactive. Should the nurse wish to resume nursing at some future time, the nurse shall so notify the board and remit the renewal fee for the current biennial period.”

SECTION 48. Section 457-10, Hawaii Revised Statutes, is amended to read as follows:

“§457-10 Disposition of funds[.]; establishment of fees by rule. All fees received by the board and [monies] monies collected under this chapter shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 49. Section 457B-9, Hawaii Revised Statutes, is amended to read as follows:

“§457B-9 Fees. (a) An applicant for a license to practice nursing home administration by examination shall pay [a fee of \$40.] application and examination fees. A reexamination fee [of \$20] is required for each reexamination. Application fees shall not be refundable. [The] Each applicant who successfully passes the examination shall pay a license fee.

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(b)¹ There shall be a biennial renewal fee [for a temporary license or a renewal of license shall be \$50. The biennial renewal fee] which 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 three years upon written application therefor and the payment to the board of all delinquent fees plus a penalty [of \$10] fee and evidence of participation in educational programs.

(c) All fees and other moneys collected or received under this chapter or rules adopted by the board shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 50. Section 458-4, Hawaii Revised Statutes, is amended to read as follows:

“**§458-4 Application for certificate of dispensing optician.** Before engaging or continuing in the occupation of dispensing optician individuals shall first apply for [and be granted certificates of dispensing opticians by the board of dispensing opticians. Applications for such registration shall be] examination on forms prescribed by the board, and the application shall [bear the signature of the individual.] be accompanied by the application and examination fees. The application shall bear the signature of the individual and shall contain the name under which the applicant proposes to do business, and the business address. Separate applications shall be made for each place of business, and each application shall be accompanied by a registration fee [of \$50. Upon refusal or denial of a certificate upon such application, the board shall refund to the applicant \$25 of the fee].”

SECTION 51. Section 458-6, Hawaii Revised Statutes, is amended to read as follows:

“**§458-6 Issuance or denial of certificate of dispensing optician.** If the board of dispensing opticians, after examination, approves the application and finds the applicant to be competent and qualified to accurately fill prescriptions for ophthalmic lenses and otherwise to engage in the business of dispensing optician, it shall register the applicant and issue to the applicant a certificate of dispensing optician[.] upon payment of the registration fee. If the board does not so determine, it shall deny the application. A separate certificate is required for each address where the business is to be conducted. The certificate shall authorize the applicant to engage in the business of dispensing optician. The certificate shall be at all times displayed in a conspicuous place at the place of the business licensed. The certificate shall not be transferable.”

SECTION 52. Section 458-8, Hawaii Revised Statutes, is amended to read as follows:

“§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.] fee.”

SECTION 53. Section 458-12, Hawaii Revised Statutes, is amended to read as follows:

“§458-12 Fees. All fees received by the board of dispensing opticians shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 54. Section 459-7, Hawaii Revised Statutes, is amended to read as follows:

“§459-7 Examination; certificate of registration. (a) 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] the applicant 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, shall take an examination before the board upon complying with the following requirements:

- (1) Applications for examination shall be made out and filed in writing with the secretary of the board; and [each]
- (2) Each application shall be accompanied by [a] an application fee [of \$30], which shall be retained by the board[.], and an examination fee.

(b) 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; and

(3) An unretouched unmounted recent photograph of the applicant.

(c) 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] the applicant is examined shall be passed by the board. If an applicant, because of [his] the applicant's failure to pass an examination is refused a license, [he] the applicant [shall], within one year, shall be permitted to take a second examination without additional fee. If an applicant fails the second time, [he] the applicant shall be required to file a new application and to pay [an additional] a reexamination fee [of \$30]. If an applicant fails the third time or any subsequent time, [he] the applicant shall be required to file a new application and to pay [an additional fee of \$30] the application and examination fees 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 refused 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[.] upon payment of a registration fee. Before any certificate is issued it shall be numbered and recorded on a book kept by the secretary of the board of examiners in optometry.

(d) 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] the optometrist's registration certificate for the biennium. The failure of any regular licensed optometrist to pay [his] the biennial license fee in advance on or before December 31 of each odd-numbered year, during the time [his] the optometrist's license remains in force, shall ipso facto, work a revocation and forfeiture of [his] the license. Any person whose license is so revoked and forfeited shall pay a penalty [of \$25] fee for the restoration of [his] the 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].

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

SECTION 55. Section 459-11, Hawaii Revised Statutes, is amended to read as follows:

“§459-11 Disposition of fees[.]; establishment of fees by rule. All fees received by the board of examiners in optometry shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 56. Section 460-5, Hawaii Revised Statutes, is amended to read as follows:

“§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 the applicant has paid to the board of osteopathic examiners [a fee of \$50.] application and examination fees.

(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 the license. Licenses forfeited by this section shall be reissued upon payment of a penalty [of \$5] fee and all fees which the licensee would have paid if the licensee had continuously renewed the license.

(c) [Disposition of fees.] All fees collected by the board shall be deposited by the director of commerce and consumer affairs with the director of finance to the credit of the general fund.

(d) All fees required by this chapter or rules adopted by the board shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91.”

SECTION 57. Section 460-8, Hawaii Revised Statutes, is amended to read as follows:

“§460-8 License issued. Each applicant who successfully passes the examination shall [be entitled to] pay a license[.] fee. The following kinds of license shall be issued:

- (1) To practice as an osteopathic physician in accordance the teachings of legally chartered and approved colleges of osteopathy in good standing, with the following rights, among others, to wit: to practice obstetrics; to practice surgery other than major surgery; and to administer anesthetics, antiseptics, germicides, parasiticides, biologicals, narcotics, and antidotes; or

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- (2) To practice as an osteopathic physician and surgeon. This license confers unlimited surgical rights, as well as the right to practice in all other respects as an osteopathic physician.”

SECTION 58. Section 460-9, Hawaii Revised Statutes, is amended to read as follows:

“**§460-9 Foreign license.** (a) The board of osteopathic examiners, [may,] in its discretion, may issue a license, without examination, to a practitioner who has been licensed in any country, state, territory, or province, upon the following conditions:

- (1) That the applicant is of good moral character;
- (2) That the applicant shall designate in the application whether the applicant desires to practice as an osteopathic physician, or as an osteopathic physician and surgeon;
- (3) That the requirements for a license in the country, state, territory, or province in which the applicant is licensed, are deemed by the board of osteopathic examiners to have been practically equivalent to the requirements for a license in force in the State at the date of the license; and
- (4) That the applicant has practiced the profession as an osteopathic physician for three years prior to the date of the application.

(b) The board [may also], in its discretion, may accept the examination of the national board of examiners for osteopathic physicians and surgeons in lieu of its own examination and may issue a license to an applicant presenting a certificate from the national board of examiners for osteopathic physicians and surgeons upon the basis of the examination of the national board; provided the applicant otherwise meets the requirements of the laws of this State.

(c) The board [may also], in its discretion, may issue a license, without examination, to an osteopathic physician who is a graduate of an approved osteopathic college in good standing and who has passed an examination for admission into the medical corps of the United States [army, United States navy,] Army, Navy, or [the United States public health service.] Public Health Service.

(d) The [fee] application and license fees for the licenses shall be [\$100 and shall be] paid to the board at the time of application. In case the application is not approved by the board the license fee shall be returned to the applicant.”

SECTION 59. Section 460J-9, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Every applicant for a license under this chapter shall file an application [with the board in such form and setting forth such information as may be] on forms prescribed or required by the board, and shall furnish [such]

any additional information bearing upon the issuance of the license as the board requires. Every application shall be sworn to before an officer authorized to administer oaths[.] and shall be accompanied by the application and examination fees. In the case of a copartnership, joint venture, or corporation, any licensed member or officer [therefore] therefor may sign the application and verify the same on behalf of the applicant[.] and every application shall be accompanied by the application and license fees. In the case of a proprietorship, every application shall be accompanied by the application and license fees."

SECTION 60. Section 460J-9, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Every application for a license [hereunder] by an individual who passed the examination shall be accompanied by [an application] a license fee [of \$25]."

SECTION 61. Section 460J-14, Hawaii Revised Statutes, is amended to read as follows:

"§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 even-numbered year. Failure, neglect, or refusal of any duly licensed operator to pay the biennial renewal fee shall constitute a forfeiture of [his] the person's license. Any [such] license may be restored upon written application therefor within one year from [such] the due date of the renewal fee 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 or rules adopted by the board shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund."

SECTION 62. Section 461-6, Hawaii Revised Statutes, is amended to read as follows:

"§461-6 Examination[.]; license. Every applicant shall pass an examination with a general average of not less than seventy per cent in the subjects of pharmacy, materia medica, chemistry, toxicology and posology, compounding of prescriptions, identification of drugs, state laws, and public health [regulations] rules relating to drugs, poisons, and devices used in the practice of pharmacy in the State, and such other subjects relating to the practice of pharmacy as the board of pharmacy may deem necessary for the protection of the public health.

Every application for examination shall be made on a form to be supplied by the board and shall be filed with the board at least thirty days before the

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examination. Each application shall be accompanied by [an] application and examination [fee of \$50.] fees. Examinations shall be held at least twice a year. Notice of the examination shall be given each applicant by registered mail.

Each applicant who successfully passes the examination shall pay a license fee."

SECTION 63. Section 461-7, Hawaii Revised Statutes, is amended to read as follows:

"§461-7 Temporary license. An applicant for examination who is a registered pharmacist as specified in [paragraph two of] section [461-5 above,] 461-5(2), may be granted a temporary license by the board of pharmacy; provided that [he] the person shall first pass a preliminary examination with a grade of not less than seventy per cent covering [State] state laws and public health [regulations] rules relating to drugs, poisons, and devices used in the practice of pharmacy in the State. A temporary license shall not entitle the holder [thereof] to a permanent license, and no permanent license shall be issued until [he] the person has passed the regular examination set forth under section 461-6. Only one temporary license shall be issued to the same applicant. A temporary license shall only remain in effect until the results of the next regular examination are announced; provided, that the board may extend any temporary license, upon written application, for good and just cause. Any applicant who fails to take or to pass the next regular examination shall surrender [his] the temporary license. The board shall receive [the sum of \$12] a fee for the issuance of a temporary license."

SECTION 64. Section 461-8, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(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] the license."

SECTION 65. Section 461-8, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

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

SECTION 66. Section 461-16, Hawaii Revised Statutes, is amended to read as follows:

“§461-16 Fees for permits; renewal. The board of pharmacy shall collect [a fee of \$18] application and permit fees 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] A 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.] collected by the board. 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.] fee.”

SECTION 67. Chapter 461, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§461- Disposition of fees; establishment of fees by rule. All fees required by this chapter or rules adopted by the board shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91. All fees required by this chapter shall be deposited with the director of finance to the credit of the general fund.”

SECTION 68. Section 463-5, Hawaii Revised Statutes, is amended to read as follows:

“§463-5 Private detectives, guards, and agencies; license required. No person shall engage in the business of private detective or guard, represent oneself to be, hold oneself out as, list oneself or advertise as a private detective or guard or as furnishing detective investigating services or guard services without first obtaining a license as a private detective or guard from the board of detectives and guards upon payment of [a licensing fee of \$37.50 a year] application, examination and license fees and no firm, corporation, partnership, or association shall engage in the business of private detective or guard, represent itself to be, hold itself out as, list itself or advertise as a private detective or guard agency or bureau or as furnishing detective, investigating, or guard services without first obtaining a license as a private detective or guard agency from the board upon payment of [a licensing fee of \$37.50 a year.] application and license fees.”

SECTION 69. Section 463-7, Hawaii Revised Statutes, is amended to read as follows:”

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“§463-7 Guard license required. No person, firm, partnership, [or] corporation, or association shall engage in the business of guard for the purpose of protecting persons or property or to prevent theft or unlawful taking of goods, wares, merchandise, money, bonds, documents, or other articles of value for hire or reward or represent oneself to be, or hold oneself out as such without first obtaining a license as a guard or guard agency from the board of detectives and guards upon payment of [a licensing fee of \$37.50 a year.] the fees set forth in section 463-5.”

SECTION 70. Section 463-10, Hawaii Revised Statutes, is amended to read as follows:

“§463-10 Licenses and renewal of licenses[.]; establishment of fees by rule. (a) 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] the 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] license 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.] fee.

(b) All fees required under this chapter shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 71. Section 464-9, Hawaii Revised Statutes, is amended to read as follows:

“§464-9 Applications for and certificates of registration; renewal[.]; fees. (a) Application for registration shall be made upon blanks to be furnished by the board and shall be signed and sworn to 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] the candidate shall pay [\$20.] the appropriate fee. The fee paid shall not be refundable; provided, if a candidate after having paid the fee is unable for any reason beyond [his] the candidate's 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.

(b) 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] the profession shall display [his] the original certificate in a conspicuous manner, in [his] the principal office or place of business.

(c) Every certificate of registration expires on April 30 of each even-numbered 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, shall mail a notice to every person registered [hereunder] under this section giving the date of expiration and the amount required for the renewal thereof. The fee for renewal [shall be \$30 for each renewal certificate.] and all other fees in this chapter shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91. Certificates of registration which have expired for failure to pay renewal fees on or before the date [hereinabove] required in this subsection may be reinstated within one year of the expiration date upon payment of a fee [of \$60] for each renewal certificate.”

SECTION 72. Section 465-1, Hawaii Revised Statutes, is amended to read as follows:

“§465-1 Definitions. As used in this chapter:

[(1)] “Board” means the board of certification for practicing psychologists.

[(2)] “Director” means the director of commerce and consumer affairs.

[(3)] “Application fee”, “renewal fee”, “temporary permit fee”, and “examination fee” mean the fees in the schedule set forth in section 465-12.]

[(4)] “Psychologist” means a person who engages in the practice of psychology as [hereinafter] defined[.] in this section.

[(5)] A person practices “psychology” who performs any professional service which consists of, requires, and is limited to the application of psychological principles, techniques, and instruments for the purpose of assessment, diagnosis, and treatment of significant behavioral, emotional, and mental disorders as defined by the most current diagnostic manual of the American Psychiatric Association; and for the purpose of the assessment, diagnosis, and rehabilitation of organic brain syndromes.”

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SECTION 73. Section 465-12, Hawaii Revised Statutes, is amended to read as follows:

“§465-12 Fees; disposition. [The fees] Application, examination, certificate, renewal, and temporary permit fees required by this chapter, none of which are refundable, shall be as [follows:

- (1) Application fee..... \$10
- (2) Examination fee..... \$75
- (3) Certificate fee \$15
- (4) Renewal fee \$30
- (5) Temporary permit fee \$15]

provided in rules adopted by the director pursuant to chapter 91.

All fees shall be paid to the director [of commerce and consumer affairs] and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 74. Section 466-8, Hawaii Revised Statutes, is amended to read as follows:

“§466-8 Fees. (a) All fees required by this chapter or rules adopted by the board shall be as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91.

[(a) Examination.] (b) An [applicant] application 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 rule.] be accompanied by the application and examination fees. The board may [also] prescribe by rule the terms and conditions upon which an applicant who is unable to attend [such] the examination may receive a credit in the amount of the fee paid toward a subsequent examination.

[(b) Issuance of certificate or registration.] (c) An [applicant] application 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 rule.] be accompanied by a certificate or registration fee.

[(c) Renewal of certificate or registration.] (d) 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] the application for renewal in an amount equal to twice the amount of the fees which the applicant would

have paid had [he] the applicant timely renewed [such] the certificate or registration since the date it was last current.

[(d) Biennial permits to practice.] (e) An [applicant] application 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.] be accompanied by the application and permit to practice fees. [All other applicants for the issuance of a biennial permit to practice shall pay a fee of \$10.

(e) Temporary permits to practice.] (f) An [applicant] application 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.] be accompanied by the application and temporary permit to practice fees.

(g) Any person requesting the board to proctor the certified public accountant examination for another state shall pay a proctoring fee.

[(f) Disposition of fees.] (h) All fees and other [monies] moneys received by the board pursuant to [the provisions of] this chapter shall be deposited by the director of commerce and consumer affairs with the director of finance to the credit of the general fund.”

SECTION 75. Section 468E-15, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The [board] director of commerce and consumer affairs shall prescribe[, and publish in a manner it deems appropriate,] fees [in amounts determined by the board] by rules adopted pursuant to chapter 91 for the following purposes:

- (1) Application for [examination;] license;
- (2) Initial licensing;
- (3) Renewal of licensing; and
- (4) Late renewal payment monthly penalty.”

SECTION 76. Section 471-8, Hawaii Revised Statutes, is amended to read as follows:

“§471-8 **Examinations; qualifications of applicants.** (a) No person shall be licensed to practice veterinary medicine unless [he] the person has passed an examination of [his] the qualifications and fitness to engage in [such] the practice of veterinary medicine given by the board of veterinary examiners. Before any applicant shall be eligible for examination under this chapter [he] the applicant [shall], at least thirty days before the date set for examination, shall file an application in [such] the form as shall be prescribed by the board, pay to the department of commerce and consumer affairs [an examination fee of \$100,]

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application and examination fees, and furnish proof satisfactory to the board that[:] the applicant:

- (1) [He is] Is eighteen or more years of age and of good moral character; and
- (2) [He is] Is a graduate of a veterinary college meeting all the standards established by the American Veterinary Medical Association, or, in lieu thereof, has actively practiced for ten out of twelve years immediately preceding the date of application in a state having standards for licensing comparable to those in [the] this State.

(b) Examinations shall be given by the board twice each year except when there are no applications pending. They shall be composed of written and oral questions and practical demonstrations. The same questions shall be given to each person being examined during a particular examination. The subject matter of the examinations shall embrace the subjects and demonstrations of practical ability normally covered in the curricula of American Veterinary colleges.

The requirements imposed by this section shall not be a bar to renewal, reissuance, or restoration of any license issued prior to May 13, 1949.”

SECTION 77. Section 471-9, Hawaii Revised Statutes, is amended to read as follows:

“**§471-9 Licenses.** (a) [Initial licenses.] Except as [hereafter] provided[,] in this section, the board of veterinary examiners shall issue a license upon payment of a license fee 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] a biennial renewal fee 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] the 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.] fee.

(e) [Military service.] Notwithstanding any other [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 78. Section 471-12, Hawaii Revised Statutes, is amended to read as follows:

“**§471-12 Fees, expenditures.; establishment of fees by rule.** (a) Members of the board of veterinary examiners shall serve without pay, except that any member, while engaged in performing official duties away from the island on which [he] the member resides, shall be reimbursed for the actual expenses incurred by [him] the member in the performance of [such] official duties.

(b) All fees received by the board shall be [deposited] as provided in rules adopted by the director of commerce and consumer affairs pursuant to chapter 91 and shall be deposited with the director of finance to the credit of the general fund.”

SECTION 79. Section 459-12, Hawaii Revised Statutes, is repealed.

SECTION 80. Statutory material to be repealed is bracketed. New material is underscored.²

SECTION 81. This Act shall take effect upon its approval.

(Approved April 13, 1984.)

Notes

1. Should be underscored.
2. Edited pursuant to HRS §23G-16.5.