

HOUSE OF REPRESENTATIVES  
THE TWENTY-FIFTH LEGISLATURE  
REGULAR SESSION OF 2009

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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SERGEANT-AT-ARMS  
HOUSE OF  
REPRESENTATIVES

AMENDED NOTICE OF HEARING

DATE: Wednesday, February 04, 2009  
TIME: 2:00 pm  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

AMENDED AGENDA

The measures listed below **DECISION MAKING TO FOLLOW** are being deleted from this agenda.  
**Decision making on HB 508, HB 206 and HB 447 will take place on Monday, February 9, 2009 as announced at the Thursday, January 29, 2009 CPC hearing.**

<u>HB 273</u> <u>Status</u>	RELATING TO THE REAL ESTATE LICENSEES. Excludes licensed real estate brokers and salespersons from the definition of "distressed property consultant" in the Mortgage Foreclosure Rescue Fraud Prevention Act, and adds to real estate licensing laws prohibitions against certain conduct by licensed real estate brokers and salespersons that specifically relate to distressed property.	CPC, JUD
<u>HB 1076</u> <u>Status</u>	RELATING TO THE APPLICABILITY OF THE MORTGAGE RESCUE FRAUD PREVENTION ACT TO REAL ESTATE LICENSEES. Excludes real estate licensees from the definition of distressed property consultant in Act 137, Session Laws of Hawaii 2008, the Mortgage Foreclosure Rescue Fraud Prevention Act, and adds to section 467-14, Hawaii Revised Statutes, prohibitions against certain conduct by real estate licensees that specifically relate to distressed property.	CPC, JUD
<u>HB 1695</u> <u>Status</u>	RELATING TO MORTGAGES. Makes various amendments to the Mortgage Rescue Fraud Prevention Act.	CPC, JUD
<u>HB 874</u> <u>Status</u>	RELATING TO RESIDENTIAL REAL PROPERTY. Prohibits transfer fees required by a deed restriction or covenant. Effective 11/1/09.	CPC, JUD



<u>HB 1561</u> <u>Status</u>	RELATING TO REAL ESTATE BROKERS AND SALESPERSONS. Specifies that acting as a real estate broker and salesperson pursuant to a real estate license does not constitute the practice of law.	CPC, JUD
<u>HB 1602</u> <u>Status</u>	RELATING TO APPRAISALS. Requires a real estate appraiser to comply with the Uniform Standards of Professional Appraisal Practice when acting as an appraiser or arbitrator in an arbitration to determine the value or rental of real estate.	CPC
<u>HB 997</u> <u>Status</u>	RELATING TO CONTRACTORS. Modifies the composition of the contractors license board to require that at least 3 members of the board to be appointed from a list of nominees submitted by the speaker of the house of representatives and at least 3 from a list submitted by the president of the senate.	CPC, LMG
<u>HB 1030</u> <u>Status</u>	RELATING TO METAL. Removes sunset clause in Act 197, Session Laws of Hawaii 2007, which contains a repeal date of July 1, 2009.	CPC, JUD
<u>HB 1414</u> <u>Status</u>	RELATING TO METAL. Repeals the 07/01/09 "sunset" date in Act 53, SLH 2008, that established the misdemeanor offense of theft of beer keg and imposed recordkeeping requirements on scrap metal dealers that purchase beer kegs. Effective 06/30/09.	CPC, JUD
<u>HB 164</u> <u>Status</u>	RELATING TO PREPAID CALLING CARDS. Requires companies selling prepaid calling cards to disclose the terms and services of the cards. Makes a violation of disclosure requirement an unfair or deceptive act or practice.	CPC, JUD
<u>HB 1316</u> <u>Status</u>	RELATING TO TORTS. Abolishes joint and several liability for design professionals except when design professional's degree of negligence is 25% or more.	CPC, JUD

DECISION MAKING TO FOLLOW

~~Decision making only on the following measures that were previously heard on Thursday, January 29, 2009.  
No public testimony will be accepted.~~

<del><u>HB 508</u> <u>Status</u></del>	<del>RELATING TO INSURANCE. Requires a business to provide commercial motor vehicle insurance coverage for delivery persons who use their own motor vehicles to make deliveries for the business.</del>	<del>CPC, EBM</del>
<del><u>HB 206</u> <u>Status</u></del>	<del>RELATING TO CONSUMER CREDIT REPORTING AGENCIES. Bars credit reporting agencies from charging consumers who are at least 65 years old a fee for placing, lifting, or removing a security freeze on their credit reports. Provides an expedited manner for temporarily lifting a security freeze.</del>	<del>CPC, JUD</del>
<del><u>HB 447</u> <u>Status</u></del>	<del>RELATING TO PAYDAY LENDING. Requires check cashing (deferred deposit) businesses to register with DCCA, post and provide consumers with rate, fee, and other information, keep records, and report to DCCA; regulates payment plans; exempts check casher fees and interest from general excise tax; regulates retailers who occasionally cash checks.</del>	<del>CPC, FIN</del>



Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing with a transmittal cover indicating:

- Testifier's name with position/title and organization;
- The Committee the comments are directed to;
- The date and time of the hearing;
- Measure number; and
- The number of copies the Committee is requesting.

While every effort will be made to copy, organize, and collate all testimony received, materials received on the day of the hearing or improperly identified or directed to the incorrect office, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 1 (one) copy to CPC Vice Chair, Room 316, in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to CPC Vice Chair at 586-6221 (Oahu) or 1-800-535-3859 (Neighbor Islands); or

EMAIL: For comments less than 5 pages in length, transmit to [CPCtestimony@Capitol.hawaii.gov](mailto:CPCtestimony@Capitol.hawaii.gov).

Testimony submitted will be placed on the Legislative Web site after the hearing adjourns. This public posting of testimony on the Web site should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the CPC Committee Clerk at 586-6196 or email your request for an interpreter to [HouseInterpreter@Capitol.hawaii.gov](mailto:HouseInterpreter@Capitol.hawaii.gov) at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" Web site at [www.capitoltv.org](http://www.capitoltv.org) OR call 550-8074.



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Rep. Robert N. Herkes  
Chair

