

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

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COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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Rep. Joseph M. Souki  
Rep. Clift Tsuji  
Rep. Barbara C. Marumoto  
Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Monday, March 16, 2009  
TIME: 2:15 p.m.  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

A G E N D A

<u>SB 34, SD1</u> <u>(SSCR181)</u> <u>Status</u>	RELATING TO THE MORTGAGE RESCUE FRAUD PREVENTION ACT. Excludes licensed real estate brokers and salespersons from the definition of distressed property consultants in the Mortgage Foreclosure Rescue Fraud Prevention Act. Prohibits certain conduct relating to the acquisition of an ownership interest in distressed property by licensed real estate brokers and salespersons. (SD1)	CPC, JUD
<u>SB 35, SD1</u> <u>(SSCR435)</u> <u>Status</u>	RELATING TO MORTGAGES. Amends definition of "distressed property consultant" to add public accountants and certified public accountants to the list of exclusions. (SD1)	CPC, JUD
<u>SB 203, SD2</u> <u>(SSCR779)</u> <u>Status</u>	RELATING TO CONTRACTORS. Increases penalties for violation of contractors licensing law. Effective on approval. (SD2)	CPC, JUD
<u>SB 848</u> <u>(SSCR477)</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>SB 1128</u> <u>(SSCR730)</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



SB 1241, SD2  
(SSCR777)  
Status RELATING TO REAL PROPERTY TRANSACTIONS. CPC, JUD  
Prohibits a deed restriction or covenant that requires a transferee of real property to pay a transfer fee to the person imposing the deed restriction or covenant, in connection with a transfer of real property. (SD2)

SB 1230, SD2  
(SSCR789)  
Status RELATING TO TAXATION. CPC, FIN  
Authorizes a tax on individuals and entities that transfer a stock ownership interest in a legal entity that owns real property located in Hawaii. (SD2)

SB 121, SD1  
(SSCR524)  
Status RELATING TO THE UNIFORM PRUDENT MANAGEMENT OF INSTITUTIONAL FUNDS ACT. CPC, FIN  
Enacts Uniform Prudent Management of Institutional Funds Act to replace and update existing Uniform Management of Institutional Funds Act. Provides guidance and authority to charitable organizations concerning the management and investment of funds held by those organizations. Provides additional protections for charities and also protects the interests of donors. Modernizes rules governing expenditures from endowment funds. Gives institutions ability to cope more easily with fluctuations in the value of the endowment. Updates provisions governing the release and modification of restrictions on charitable funds to permit more efficient management of these funds. (SD1)

SB 877, SD2  
(SSCR718)  
Status RELATING TO THE ONE CALL CENTER. CPC, FIN  
Protects Hawaii's underground infrastructure by making the One Call Center pilot program permanent. Since 2004, the Center has become the central database for utility operators, contractors, and excavators attempting to locate underground gas, electric, telecommunication, cable, water, and sewer lines. (SD2)

SB 878, SD1  
(SSCR434)  
Status RELATING TO PUBLICATION OF HEARING NOTICES. CPC, FIN  
Saves money by allowing the Public Utilities Commission to provide hearing notices to only the island(s) affected by a public utility proposal for change in utility rates and ratemaking procedures. Hearing notices will continue to be sent to those directly impacted by any proposed changes. (SD1)

HB 880  
Status RELATING TO EDUCATION. EDN/LAB, FIN  
Repeals language from Act 51, Session Laws of Hawaii 2004, that specifies that the act prevails over any conflicting language in the public employment collective bargaining law on resolving conflicts between collective bargaining agreements and administrative rules and between the public employment collective bargaining law and other sources of state or local law.

SB 1107, SD2  
(SSCR716)  
Status RELATING TO CONDOMINIUMS. CPC, FIN  
Merges the condominium management education fund and the condominium education trust fund. (SD2)

DECISION MAKING TO FOLLOW

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 CPC Vice Chair at [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

