

THE SENATE
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Rosalyn H. Baker, Chair
Senator David Y. Ige, Vice Chair

AMENDED NOTICE

MEASURES DEFERRED TO TUESDAY, FEBRUARY 17, 2009

DATE: Tuesday, February 17, 2009
TIME: 11:00 a.m.
PLACE: Conference Room 229
State Capitol
415 South Beretania Street

DECISION MAKING ON THE FOLLOWING MEASURE(S):

(Deferred from Wednesday, February 11, 2009)

[SB 1044](#)
[Testimony](#)

RELATING TO ATTORNEYS.
Allows licensed professionals to provide services within the scope of their license without violating the prohibition on the unauthorized practice of law.

CPN, JGO

[SB 573](#)
[Testimony](#)

RELATING TO ATTORNEYS' FEES.
Clarifies that Hawaii law relating to the recovery of attorneys' fees in actions in the nature of assumpsit does not apply to common law tort, breach of fiduciary duty, and statutory causes of actions brought by a condominium unit owner against an association.

CPN, JGO

[SB 661](#)
[Testimony](#)

RELATING TO THE FUNERAL INDUSTRY.
Establishes a board of cemetery and funeral trusts. Establishes a pre-need cemetery and funeral governance fund. Prohibits additional practices. Authorizes the director of commerce and consumer affairs to prohibit a pre-need authority from engaging in sales and withdrawals for failure to submit required audits.

CPN, WAM

[SB 660](#)
[Testimony](#)

RELATING TO UNCLAIMED PROPERTY.
Includes cemetery property, preneed funeral services, and preneed interment in definition of unclaimed property; requires notice. Creates presumption.

CPN

(Measure added Deferred from Thursday, February 12, 2009)

[SB 1623](#)
[Testimony](#)

RELATING TO FORECLOSURES.
Requires mortgagors and mortgagees to explore options to avoid foreclosure, including modification or restructuring of loans; effective on approval and repeals 12/31/2012. Requires notice of foreclosure be given to a tenant of the foreclosed property with the option to keep rental agreement in full force or vacate premises in 60 days.

CPN, JGO
[Measure added on
02/12/09]

[SB 1218](#)
[Testimony](#)

RELATING TO MORTGAGE LOAN ORIGINATORS.
Allows the commissioner of financial institutions to regulate, license, examine, and enforce laws regulating mortgage brokers and loan originators. Repeals chapter 454.

CPN, WAM
[Measure added on
02/12/09]

[SB 1230](#)
[Testimony](#)

RELATING TO TAXATION.
Authorizes a tax on the transfer in ownership of a legal entity when the selling entity owns real property in Hawaii that is acquired by another individual or entity through the purchasing of an interest in the selling entity.

CPN, WAM
[Measure added on
02/12/09]

[SB 1106](#)
[Testimony](#)

RELATING TO TAXATION.
Requires a buyer of real property located in Hawaii to furnish to the bureau of conveyances a tax clearance certificate issued from the department of taxation that certifies that the HARPTA withholding requirements were satisfied as a condition to recording a change in title on the real property.

CPN, WAM
[Measure added on
02/12/09]

(Measure added Deferred from Monday, February 16, 2009)

[SB 1276](#)
[Testimony](#)

RELATING TO SMALL BUSINESS.
Makes various administrative and technical amendments to the small business regulatory flexibility act. Codifies the small business bill of rights.

EDT/CPN, WAM
[Measured added on
02/17/09]

No testimony will be accepted.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 808-586-6070.