

Honolulu, Hawaii

April 27 , 2012

RE: H.B. No. 1879
H.D. 2
S.D. 1
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1879, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ONE CALL CENTER,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to:

- (1) Extend until June 30, 2014, the sunset provision in section 5 of Act 72, Session Laws of Hawaii (SLH) 2009, that exempts pest control operators' activities from the definition of "excavation";
- (2) Amend the definition of "excavation" to exclude any pest control activity regulated under chapter 460J, Hawaii Revised Statutes (HRS), that is not performed under contract with any county or state agency;



- (3) Direct the Public Utilities Commission (PUC) to require any operator exempt from the requirements of the One Call Center (Center) to participate in training seminars provided by the Center for education on excavation requirements and best practices; and
- (4) Require the PUC to:
 - (A) Conduct an investigation assessing the risk of residential pest control application; and
 - (B) Submit to the Legislature a report of its findings and recommendations prior to the Regular Session of 2014.

Your Committee on Conference has amended this bill by:

- (1) Amending the definition of "excavation" to exclude any pest control activity involving excavation regulated under chapter 460J, HRS, that is not performed under contract with any county or state agency;
- (2) Specifying that the training seminars in which the PUC must require exempt operators to participate be either provided or approved by the Center;
- (3) Extending until June 30, 2015, the sunset provision in section 5 of Act 72, SLH 2009;
- (4) Changing the effective date to June 29, 2012; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

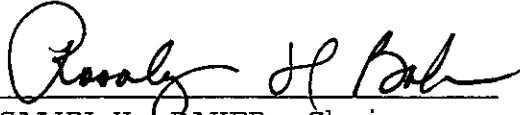
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1879, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1879, H.D. 2, S.D. 1, C.D. 1.




Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

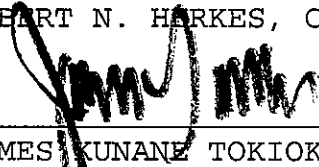
ON THE PART OF THE HOUSE



ROSALYN H. BAKER, Chair



ROBERT N. HARKES, Co-Chair



JAMES KUNANE TOKIOKA, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 1879, HD 2, SD 1	Date/Time: 9:46 AM 4/27/12 ✓
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				HERKES, Robert N., Co-Chr.	✓			
TANIGUCHI, Brian T.	✓				TOKIOKA, James Kunane, Co-Chr.	✓			
SLOM, Sam	✓				ITO, Ken	✓			
					MARUMOTO, Barbara C.	✓			
TOTAL	3				TOTAL	4			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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