

HOUSE OF REPRESENTATIVES  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2012

RECEIVED

2012 JAN 20 P 4: 07

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Robert N. Herkes, Chair  
Rep. Ryan I. Yamane, Vice Chair

SERGEANT-AT-ARMS  
HOUSE OF  
REPRESENTATIVES

Rep. Tom Brower	Rep. Angus L.K. McKelvey
Rep. Rida T.R. Cabanilla	Rep. Joseph M. Souki
Rep. Mele Carroll	Rep. Clift Tsuji
Rep. Denny Coffman	Rep. Corinne W.L. Ching
Rep. Ken Ito	Rep. Barbara C. Marumoto
Rep. Gilbert S.C. Keith-Agaran	Rep. Cynthia Thielen
Rep. Sylvia Luke	

COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair  
Rep. Karl Rhoads, Vice Chair

Rep. Tom Brower	Rep. Angus L.K. McKelvey
Rep. Rida T.R. Cabanilla	Rep. Joseph M. Souki
Rep. Mele Carroll	Rep. Clift Tsuji
Rep. Denny Coffman	Rep. George R. Fontaine
Rep. Robert N. Herkes	Rep. Barbara C. Marumoto
Rep. Ken Ito	Rep. Cynthia Thielen
Rep. Sylvia Luke	

NOTICE OF HEARING

DATE: Wednesday, January 25, 2012  
TIME: 2:00pm  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

A G E N D A

HB 2107  
Status

RELATING TO COPPER REDEMPTION.  
Requires that scrap metal dealers only purchase copper from licensed contractors.

CPC/JUD, FIN

HB 2033  
Status

RELATING TO MORTGAGE COLLECTIONS.  
Prohibits mortgage collection firms from certain acts, such as knowingly breaching a bona fide mortgage modification agreement. Provides penalties.

CPC/JUD, FIN



<u>HB 2018</u> <u>Status</u>	RELATING TO FORECLOSURES. Repeals the provision automatically making all violations of the mortgage foreclosure law an unfair or deceptive act or practice, in favor of determinations made on a case-by-case basis. Establishes a time limit for filing actions to void title transfers of foreclosed property. Specifies a mortgagor's right to claim that a violation of the mortgage foreclosure law constitutes an unfair or deceptive act or practice. Provides that a mortgagee's failure to demonstrate rights of a holder in due course is prima facie evidence of an unfair or deceptive act or practice. Following the expiration of the mortgage foreclosure dispute resolution program in 2014, specifies certain foreclosure violations as unfair or deceptive acts or practices, and limits the types of violations that may void a title transfer of foreclosed property.	CPC/JUD, FIN
<u>HB 2019</u> <u>Status</u>	RELATING TO MORTGAGES. Prohibits deficiency judgments to recover the remaining balance on mortgage loans for certain residential property sold in a foreclosure action or short sale.	CPC/JUD, FIN
<u>HB 2020</u> <u>Status</u>	RELATING TO MORTGAGE FORECLOSURES. Repeals part I of chapter 667, HRS, relating to foreclosure by action or foreclosure by power of sale.	CPC/JUD, FIN
<u>HB 1875</u> <u>Status</u>	RELATING TO FORECLOSURES. Implements the 2011 recommendations of the mortgage foreclosure task force to address various issues relating to the mortgage foreclosures law and related issues affecting homeowner association liens and the collection of unpaid assessments.	CPC/JUD, FIN
<u>HB 1881</u> <u>Status</u>	RELATING TO THE PUBLIC UTILITIES COMMISSION. Requires that an economic impact analysis be submitted with any application to the PUC that has a fiscal impact. Allows for submission of analyses in contravention and rebuttal of the original. Requires the PUC to provide a final analysis with any decision and order. Establishes requirements for the analysis.	CPC, FIN
<u>HB 1882</u> <u>Status</u>	RELATING TO THE PUBLIC UTILITIES COMMISSION. Increases the membership of the public utilities commission from three to five; temporarily creates two subject matter panels within the public utilities commission; authorizes the employment of an executive officer; provides for transition to five-member composition; requires report to the legislature on panel structure; makes appropriation from the public utilities commission special fund.	CPC, FIN
<u>HB 1868</u> <u>Status</u>	RELATING TO TELECOMMUNICATIONS. Limits to retail basic exchange services the services for which a telecommunications carrier must obtain approval from the PUC to charge a rate higher than the filed tariff rate.	CPC
<u>HB 1879</u> <u>Status</u>	RELATING TO THE ONE CALL CENTER. Repeals the June 30, 2012, sunset provision in section 5 of Act 72, Session Laws of Hawaii 2009, which makes permanent the exclusion of pest control operators' activities from the definition of "excavation".	CPC, FIN



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: 3 copies (including an original) to Room 320 in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to 586-8404 (for Oahu) or 1-800-535-3859 (for Neighbor Islanders without a computer to submit testimony through e-mail or the Web);

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

WEB: For comments less than 4MB in size, transmit from the Web page at <http://www.capitol.hawaii.gov/submittestimony.aspx>.

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 Committee Clerk at 586-6172 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 536-2100.

  
Rep. Gilbert Keith-Agaran  
Chair

  
Rep. Robert N. Heikes  
Chair

