

# HB1879 HD2

Measure Title: RELATING TO THE ONE CALL CENTER.  
 Report Title: One Call Center; Pest Control Operators; Exemption  
 Description: Makes permanent the exclusion of certain pest control operators' activities from the definition of "excavation". Effective January 1, 3000. (HB1879 HD2)  
 Companion: SB2432  
 Package: None  
 Current Referral: CPN  
 Introducer(s): HERKES (Introduced by request of another party)

| <u>Sort by Date</u> |   | <b>Status Text</b>  |
|---------------------|---|---|
| 1/17/2012           | H | Prefiled  |
| 1/18/2012           | H | Introduced and Pass First Reading.  |
| 1/19/2012           | H | Referred to CPC, FIN, referral sheet 2  |
| 1/20/2012           | H | Bill scheduled to be heard by CPC on Wednesday, 01-25-12 2:00PM in House conference room 325.   |
| 1/25/2012           | H | The committee(s) on CPC recommend(s) that the measure be deferred until 02-01-12.   |
| 1/30/2012           | H | Bill scheduled for decision making on Wednesday, 02-01-12 2:00PM in conference room 325.  |
| 2/1/2012            | H | The committees on CPC recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 10 Ayes: Representative(s) Herkes, Yamane, Cabanilla, Keith-Agaran, Luke, McKelvey, Tsuji, Ching, Marumoto, Thielen; Ayes with reservations: none; Noes: none; and 5 Excused: Representative(s) Brower, Carroll, Coffman, Ito, Souki. |
| 2/6/2012            | H | Reported from CPC (Stand. Com. Rep. No. 105-12) as amended in HD 1, recommending passage on Second Reading and referral to FIN.   |
| 2/6/2012            | H | Passed Second Reading as amended in HD 1 and referred to the committee(s) on FIN with none voting aye with reservations; none   |

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|-----------|---|---|
|           |   | voting no (0) and McKelvey, Takai excused (2).  |
| 2/21/2012 | H | Bill scheduled to be heard by FIN on Thursday, 02-23-12 2:00PM in House conference room 308.  |
| 2/21/2012 | H | Broadcast of hearing/briefing available. See: <a href="http://www.capitoltv.org">www.capitoltv.org</a>  |
| 2/23/2012 | H | The committees on FIN recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 17 Ayes: Oshiro, M. Lee, Choy, Cullen, Giugni, Har, Hashem, Ichiyama, Jordan, Kawakami, C. Lee, Morikawa, Tokioka, Yamashita, Marumoto, Riviere, Ward; Ayes with reservations: none; 0 Noes: none; and 0 Excused: none. |
| 3/2/2012  | H | Reported from FIN (Stand. Com. Rep. No. 846-12) as amended in HD 2, recommending passage on Third Reading.  |
| 3/2/2012  | H | Forty-eight (48) hours notice Tuesday, 03-06-12.  |
| 3/6/2012  | H | Passed Third Reading as amended in HD 2 with none voting aye with reservations; none voting no (0) and none excused (0). Transmitted to Senate.   |
| 3/8/2012  | S | Received from House (Hse. Com. No. 92).   |
| 3/8/2012  | S | Passed First Reading.   |
| 3/8/2012  | S | Referred to CPN.  |
| 3/14/2012 | S | The committee(s) on CPN has scheduled a public hearing on 03-29-12 9:00AM in conference room 229.   |

TESTIMONY OF HERMINA MORITA  
CHAIR, PUBLIC UTILITIES COMMISSION  
DEPARTMENT OF BUDGET AND FINANCE  
STATE OF HAWAII  
TO THE  
SENATE COMMITTEE ON  
COMMERCE & CONSUMER PROTECTION

MARCH 29, 2012

**MEASURE:** H.B. No. 1879, H.D. 2

**TITLE:** Relating to the One Call Center

Chair Baker and Members of the Committee:

**DESCRIPTION:**

This bill would exempt all pest control operators from having to comply with Chapter 269E, Hawaii Revised Statutes ("HRS"), the Hawaii One Call Utility Notification law.

**POSITION:**

The Commission would like to offer the following comments for the Committee's consideration.

**COMMENTS:**

The Commission has the authority to issue binding interpretations or declaratory rulings to assess, rank, and take into consideration the risks to public safety, the environment, excavators, and vital public services associated with activities of different types of excavators. Therefore, on March 9, 2012, the Commission issued the opening order to begin its investigation under HRS § 269E-3(4) to assess and evaluate the general risks caused by pest control operator activities with respect to damage caused by that industry to underground facilities ("Investigation"). The next critical deadline in the Investigation process is April 16, 2012, when all comments must be filed. The Commission believes it can conclude its Investigation and issue a declaratory ruling by the end of this legislative session.

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The Committee can review the order initiating the Investigation (Docket No. 2012-0043) by visiting the Commission's Document Management System at <http://pucdms/dms/index.jsp> and entering 2012-0043 in the Docket Quick Link search field.

Thank you for the opportunity to testify on this measure.



# HAWAII PEST CONTROL ASSOCIATION

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March 29, 2012

Testimony To: Senate Committee on Commerce and Consumer Protection  
Senator Rosalyn H. Baker, Chair

Presented By: Tim Lyons, CAE  
Executive Director

Subject: H.B. 1879, HD 2 - RELATING TO THE ONE CALL CENTER

Chair Baker and Members of the Committee:

I am Tim Lyons, Executive Director of the Hawaii Pest Control Association an organization composed of 96% of all the structural licensed pest control operators and we support this bill although we prefer the Senate version.

Because the Senate hearing was held sometime after the House hearing, the Senate draft is far superior in what it accomplishes and, therefore, we would prefer that draft.

Since the time of this hearing, the Public Utilities Commission has filed an order initiating an investigation of the activities of pest control operators and how they interface with the One Call Center. The deadline however, for intervention and participation in the docket is April 16, 2012 and because we do not know how that process will turn out and even though we do have a

favorable inclination from the PUC there are still many unanswered questions. We would prefer that this bill continue towards passage until such time as the PUC has granted the relief for which this bill was intended.

Based on the above we would respectfully request the Committee to insert the provisions of S.B. 2432, SD 1 into this bill and move this measure along.

Thank you.