

HOUSE OF REPRESENTATIVES
THE TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013

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NOTICE OF HEARING

DATE: Wednesday, January 30, 2013
TIME: 2:00 p.m.
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

A G E N D A

HB 234
Status

RELATING TO COLLECTION OF RESTITUTION FOR CRIME VICTIMS.

CPC, JUD

Amends the definition of "debt" in section 231-52, HRS, to include court-ordered restitution subject to civil enforcement. Removes court's authority to revoke restitution once ordered. Creates standards and procedures for income-withholding, for purposes of enforcing restitution orders. Extends victims' access to adult probation records, to include access to payment compliance records, for purposes of enforcing restitution orders. Requires that any bail posted by a defendant be applied toward payment of any court-ordered restitution in the same case.

HB 809
Status

RELATING TO THE PUBLIC UTILITIES COMMISSION.

CPC, FIN

Consolidates the submission of reports made by the Public Utilities Commission on a fiscal year basis to the Legislature within the Commission's annual report required under section 269-5, Hawaii Revised Statutes.

HB 25
Status

RELATING TO SUSPENSION OF FORECLOSURE ACTIONS BY JUNIOR LIENHOLDERS.

CPC, JUD

Allows a condominium association, as a junior lienholder, to commence or continue a nonjudicial foreclosure action on a property subject to a judicial foreclosure until a foreclosure commissioner is appointed by the circuit court.



<u>HB 424</u> <u>Status</u>	RELATING TO TIMESHARE CONVEYANCES. Authorizes the Governor to appoint Commissioners of Deeds to take acknowledgments, proofs of execution, or oaths in specified jurisdictions related to the conveyance of time share properties located within the State.	CPC, FIN
<u>HB 386</u> <u>Status</u>	RELATING TO TAXATION. Deems transfers of controlling interest in entities holding interests in real property within the State subject to the conveyance tax. Takes effect 1/1/2014.	CPC, FIN
<u>HB 680</u> <u>Status</u>	RELATING TO TAXATION. Imposes conveyance tax on the transfer or conveyance of a controlling interest of an entity with an interest in realty in Hawaii. Exempts certain transfers. Imposes conveyance tax on certain transfers of real property at the lowest rate. Effective January 1, 2014.	CPC, FIN
<u>HB 22</u> <u>Status</u>	RELATING TO PARTITION OF HEIRS PROPERTY. Adopts Uniform Partition of Heirs Property Act. Establishes procedures and remedies for use in actions for partition of real property involving heirs property (real property held in tenancy in common that meets certain requirements).	CPC, JUD
<u>HB 23</u> <u>Status</u>	RELATING TO REAL ESTATE. Clarifies the activities custodians or caretakers may engage in under chapter 467, Hawaii Revised Statutes.	CPC, JUD
<u>HB 676</u> <u>Status</u>	RELATING TO DISCRIMINATION. Prohibits discrimination in real property transactions based on lawful source of income.	CPC, JUD
<u>HB 19</u> <u>Status</u>	RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. Deletes the requirement that a landlord place a newspaper advertisement before selling or donating abandoned tenant property. Allows landlords to sell a tenant's property abandoned after the tenant is removed pursuant to a writ of possession. Effective 07/01/2013.	CPC, JUD
<u>HB 34</u> <u>Status</u>	RELATING TO SMOKING. Allows condominiums and cooperative housing corporations to adopt rules to prohibit smoking in units, common elements, or limited common elements.	CPC, JUD
<u>HB 24</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Specifies that a percentage of fees paid into the condominium education trust fund shall be used to support mediation of condominium related disputes.	CPC, FIN
<u>HB 835</u> <u>Status</u>	RELATING TO SECURITIES LAW. Clarifies, corrects errors, and amends Hawaii's securities laws.	CPC, FIN
<u>HB 135</u> <u>Status</u>	RELATING TO UNIFORM COMMERCIAL CODE ARTICLE 4A. Clarifies the relationship between the Uniform Commercial Code article 4A and the federal Electronic Fund Transfer Act.	CPC, FIN



<u>HB 712</u> <u>Status</u>	RELATING TO CREDIT PROTECTION. Authorizes the parent or legal guardian of a minor child to place a security freeze on the minor child's credit report.	CPC, JUD
<u>HB 840</u> <u>Status</u>	RELATING TO FINANCIAL INSTITUTIONS. Replaces individual fees for Hawaii banks, and nondepositories for specific regulatory items with one assessment. Increases, and clarifies bank powers. Clarifies the authority of the Commissioner of Financial Institutions.	CPC, FIN
<u>HB 791</u> <u>Status</u>	RELATING TO NONPROFIT CORPORATIONS. Adds a new section to clearly provide that directors of a nonprofit corporation shall have access to the books and records of the corporation to the extent reasonably related to their duties.	CPC, JUD
<u>HB 207</u> <u>Status</u>	RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS. Requires that financial disclosure statements filed by members of certain boards and commissions be public records and available for inspection and duplication.	CPC, FIN
<u>HB 632</u> <u>Status</u>	RELATING TO OPEN DATA. Requires executive departments, boards, commissions, and agencies to make data available to the public. Absolves State for liability for deficiencies or incomplete data. Requires the CIO to enact rules to address making data sets available to the public.	CPC, JUD
<u>HB 143</u> <u>Status</u>	RELATING TO FREEDOM OF INFORMATION. Clarifies that a license applicant does not have a significant privacy interest in records that show relevant experience, trade examination results, or adequate bonding. Makes such information contained in government records subject to disclosure.	CPC, JUD
<u>HB 716</u> <u>Status</u>	RELATING TO THE DISCIPLINARY AUTHORITY OF THE BOARD OF PUBLIC ACCOUNTANCY. Clarifies that the board of public accountancy may take over one or more disciplinary actions against any person for violations of accountancy regulatory law, and increases the amount of the administrative fine that may be imposed for any violation.	CPC, JUD
<u>HB 326</u> <u>Status</u>	RELATING TO TAXATION. Requires professional architects, engineers, land surveyors, and landscape architects to present a tax clearance certificate to licensing agency prior to issuance or renewal of the license.	CPC, FIN
<u>HB 153</u> <u>Status</u>	RELATING TO UNLICENSED CONTRACTING ACTIVITY. Requires that the work done by the unlicensed contractor not offset the value of the property.	CPC, FIN



<u>HB 537</u> <u>Status</u>	RELATING TO THE FUNERAL INDUSTRY. Requires refunds to include all interest earned when terminating or canceling a pre-need funeral services or pre-need interment services contract. Requires the deposit into trust of one hundred per cent of all funds paid to purchase a pre-need funeral plan plus all interest earned. Allows a cemetery or pre-need authority to deduct certain expenses from a trust. Requires annual statements of the disposition of trust funds. Effective July 1, 2013.	CPC, FIN
<u>HB 134</u> <u>Status</u>	RELATING TO DISPOSITION OF REMAINS. Establishes the disposition of remains act. Determines the priority of the persons who may direct the disposition of a decedent's remains and the arrangements for funeral goods and services; permits funeral establishments, cemeteries, mortuaries, and crematories to rely and act upon written directions from the decedent or persons who have the right of disposition without liability and control the disposition and dispose of a decedent's remains in certain circumstances.	CPC, JUD, FIN
<u>HB 127</u> <u>Status</u>	RELATING TO INSURANCE. Permits insurers to send electronic notices and documents relating to insurance and insurance policies. Requires an insurer to obtain the consent of a party prior to sending the party electronic notices and documents. Permits a party to withdraw consent for electronic notices and documents.	CPC, JUD
<u>HB 157</u> <u>Status</u>	RELATING TO MOTOR VEHICLE INSURANCE. Requires the counties to establish a no-fault insurance database accessible by the police, departments of motor vehicles, and the prosecuting attorney. Requires insurance companies to transmit insurance information to the counties to be included in the database. Appropriates funds.	CPC, JUD, FIN
<u>HB 136</u> <u>Status</u>	RELATING TO INSURANCE. Implements the recommendations of the insurance verification working group. Establishes working group to assist in development of request for proposals and vendor selection for motor vehicle insurance verification program. Establishes special fund to develop and operate motor vehicle insurance verification program. Increases annual motor vehicle registration fee. Removes duplicative and unnecessary requirements for insurance identification cards and safety inspection requirements. Removes judges' discretionary authority to suspend a fine for failure to have insurance if a defendant later obtains insurance. Requires that a portion of fines be deposited into special fund. Sunset 06/30/2020.	CPC, JUD, FIN

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Testimony should indicate:

- Testifier's name with position/title and organization;
- The Committee(s) to which the comments are directed;
- The date and time of the hearing; and
- Measure number.



While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, 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 314 in the State Capitol;

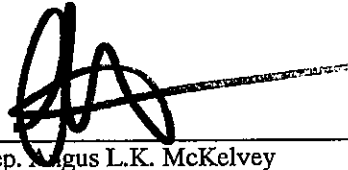
FAX: For testimony less than 5 pages in length, transmit to 808-586-8437 (Oahu) or 1-800-535-3859 (for Neighbor Islander without a computer to submit testimony through e-mail or the Web); or

WEB: For testimony less than 10MB in size, transmit from <http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the legislative website after the hearing adjourns. This public posting of testimony on the website 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 586-6160 or email your request for an interpreter to 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" website at www.capitoltv.org or call 536-2100.



Rep. Angus L.K. McKelvey
Chair

