

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

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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AMENDED NOTICE OF HEARING

DATE: Monday, February 11, 2013
TIME: 3:30 p.m.
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

A M E N D E D A G E N D A

The following measure(s) has been **DELETED** from the agenda: **HB138, HB241, HB245, HB339, HB474, HB693, HB695, HB790, HB841, HB1154**

The following measure(s) has been **ADDED** to the agenda: **HB357, HB329, HB461, HB497, HB856, HB875, HB1149, HB1200, HB1228, HB1443, HB1483, HB1484,**

[HB 138](#)
[Status](#)

~~RELATING TO REAL ESTATE SELLER DISCLOSURE.~~
~~Establishes a uniform standard for disclosure for condominium projects, cooperative housing corporations, and other community associations and clarifies the types of documents that are required to be disclosed. Requires the disclosure of documents within ten days after the title report is received. Allows for the electronic receipt of documents with the buyer's consent.~~

CPC

[HB 241](#)
[Status](#)

~~RELATING TO FIRE PROTECTION.~~
~~Authorizes the county fire chiefs to require that various types of construction comply with the fire code.~~

CPC, FIN

[HB 245](#)
[Status](#)

~~RELATING TO DOMESTIC VIOLENCE.~~
~~Prohibits landlords from terminating the tenancy of tenants who are victims of domestic abuse. Allows landlords to terminate a lease or a rental agreement for any lawful reason.~~

CPC

[HB 339](#)
[Status](#)

~~RELATING TO CONTRACTORS.~~
~~Allows the contractors license board to accept in lieu of a specific experience requirement for licensure, equivalent knowledge, training, or experience, including self-employed or unlicensed experience, if the board investigates and makes a detailed written finding to that effect and the finding is made available for public inspection.~~

CPC



<u>HB 474</u> <u>Status</u>	RELATING TO TRANSIENT ACCOMMODATIONS. Clarifies that an association's duty to report to the department of taxation is limited to the relevant information an association actually receives from a transient accommodation operator. Limits the fines imposed on an association while also holding an owner or operator of a transient accommodation accountable for failure to report.	CPC
<u>HB 693</u> <u>Status</u>	RELATING TO REAL ESTATE APPRAISERS. Requires real estate appraisers, acting as arbitrators, to record arbitration awards, the records of the awards, if separately issued, and any supplementary, dissenting, or explanatory opinions with the bureau of conveyances within 90 days of the determination of the award and its notification to the parties.	CPC
<u>HB 695</u> <u>Status</u>	RELATING TO ELECTRICIANS AND CONTRACTORS. Exempts out of state electricians performing high voltage electrical work for a public utility from licensing laws for electricians and from quotas governing contractors on construction sites who employ individuals performing electrical work.	CPC
<u>HB 790</u> <u>Status</u>	RELATING TO CHARITABLE SOLICITATION. Extends reporting requirements to commercial co-venturers, allows for penalties to be imposed on commercial co-venturers who fail to comply with the reporting requirements, and clarifies the exemption from registration for organizations who receive less than \$25,000 in contributions annually.	CPC
<u>HB 841</u> <u>Status</u>	RELATING TO INSURANCE. Updates the Insurance Code.	CPC
<u>HB 1154</u> <u>Status</u>	RELATING TO PROFESSIONS AND OCCUPATIONS. Authorizes the board of electricians and plumbers to regulate plumber air conditioning and refrigeration pipefitters and plumber fire sprinkler pipefitters. Redefines "master plumber." Excludes certain work from the owner builder licensing exemption. Increases the percentage of licensed individuals on a job necessary to perform certain work. Effective 07/01/2015.	CPC
<u>HB 461</u> <u>Status</u>	RELATING TO NET ENERGY METERING. Allows an eligible customer-generator in a net energy metering agreement to donate credits for excess electricity that remain unused after each twelve-month reconciliation period to any charitable organization (as defined in section 467B-1, Hawaii Revised Statutes).	CPC, FIN
<u>HB 497, HD1</u> <u>(HSCR244)</u> <u>Status</u>	RELATING TO RENEWABLE ENERGY. Amends the tax credit for renewable energy technologies. Applies to taxable years beginning after December 31, 2012. (HB497 HD1)	EEP, CPC, FIN



<u>HB 856, HD1</u> <u>(HSCR221)</u> <u>Status</u>	RELATING TO GREEN INFRASTRUCTURE. Establishes a regulatory financing structure that authorizes the Public Utilities Commission and the Department of Business, Economic Development, and Tourism to provide low-cost loans for green infrastructure equipment to achieve measurable cost savings and achieve Hawaii's clean energy goals. Effective January 28, 2100. (HB856 HD1)	EEP, CPC, FIN
<u>HB 1149, HD1</u> <u>(HSCR223)</u> <u>Status</u>	RELATING TO WIND ENERGY FACILITIES. Requires the owner of a wind energy facility to be responsible for decommissioning of the facility and to provide evidence of financial security. Outlines the elements of proper decommissioning. (HB1149 HD1)	EEP, CPC, FIN
<u>HB 1228</u> <u>Status</u>	RELATING TO TAXATION. Amends the income tax credit for renewable energy technologies by providing that administrative rules that require a renewable energy technology system to meet output capacity requirements in order for a taxpayer to be eligible to claim the credit shall not apply to a taxpayer whose adjusted gross income is \$100,000 or less.	CPC, FIN
<u>HB 1150</u> <u>Status</u>	RELATING TO CONTRACTS. Exempts an owner's agreement with an attorney to file a claim as to identified property or contest the administrator's denial of a claim from the application of section 523A-25, Hawaii Revised Statutes.	CPC, FIN
<u>HB 329</u> <u>(HSCR196)</u> <u>Status</u>	RELATING TO THE GENERAL EXCISE TAX. Narrows the scope of gross proceeds to which the general excise tax exemption for certain scientific contracts with the United States applies.	EDB, CPC, FIN
<u>HB 357, HD1</u> <u>(HSCR242)</u> <u>Status</u>	RELATING TO THE ENVIRONMENT. Requires certain businesses in the State to collect a ten-cent fee for each single-use checkout bag provided to customers. Allows businesses to retain a specified portion of fees, subject to income and general excise taxes. Directs use of fee revenues to fund programs to mitigate the effects of single-use checkout bags and protect Hawaii's fresh water supply. Establishes provisions relating to violations, injunctive and other relief, county ordinances, business reporting, and audit authority. Requires annual report to the Legislature. Appropriates funds. Effective July 1, 2013. (HB357 HD1)	EEP, CPC, FIN
<u>HB 902, HD1</u> <u>(HSCR167)</u> <u>Status</u>	RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM. Removes the exemption for dietary supplements from the Deposit Beverage Container Program. Effective July 4, 2100. (HB902 HD1)	EEP, CPC, FIN
<u>HB 1443</u> <u>Status</u>	RELATING TO THE HAWAII HURRICANE RELIEF FUND. Authorizes the Hawaii Hurricane Relief Fund to conduct itself as a private entity to participate in the insurance market. Reactivates the special mortgage recording fee. Replenishes the Hawaii Hurricane Relief Fund. Effective July 1, 2013.	CPC, FIN



[HB 875](#)
[\(HSCR29\)](#)
[Status](#)

RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING.

HUS, CPC, JUD

Allows a child care program licensed by the United States Department of Defense and the Hawaii Council of Private Schools to be exempt from licensing by the Department of Human Services. In order for a child care program licensed by the Hawaii Council of Private Schools to be exempt from licensure by the Department of Human Services, the child care program must apply and show evidence that the licensing standards of the Hawaii Council of Private Schools meet or exceed the licensing standards of the Department of Human Services, and that the standards include a monitoring system that ensures compliance with the standards.

[HB 1200, HD1](#)
[\(HSCR245\)](#)
[Status](#)

RELATING TO EDUCATION.

HED, CPC, FIN

Creates the framework for authorizing private post-secondary educational institutions in the State. Creates the post-secondary education authorization subaccount of the compliance resolution fund established pursuant to section 26-9(o), Hawaii Revised Statutes. Repeals the Post-secondary Education Commission within the University of Hawaii. (HB1200 HD1)

[HB 1483, HD1](#)
[\(HSCR237\)](#)
[Status](#)

RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.

HLT/LAB, CPC, FIN

Establishes a task force to study the feasibility of allowing the operations of the Hawaii Health Systems Corporation regional systems and their facilities to transition to non-public status. Requires report to the Legislature prior to the 2014 Regular Session. Repeals task force on June 30, 2015. (HB1483 HD1)

[HB 1484, HD1](#)
[\(HSCR238\)](#)
[Status](#)

RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION.

HLT/LAB, CPC, FIN

Amends the governance structure of Hawaii Health Systems Corporation (HHSC). Makes the regional chief executive officers nonvoting members. Establishes the HHSC personnel system and new collective bargaining units. Delineates the HHSC Board's and regional boards' powers. Effective July 1, 2050. (HB1484 HD1)

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>.

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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 586-6196 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

