

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

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NOTICE OF HEARING

DATE: Wednesday, March 27, 2013
TIME: 4:45 P.M.
PLACE: Conference Room 308
State Capitol
415 South Beretania Street

AGENDA # 2

<u>SB 409, SD1</u> <u>(HSCR1021)</u> <u>Status</u>	RELATING TO MAHINA 'OLELO HAWAII'. Designates the month of February as "Olelo Hawaii Month" to celebrate and encourage the use of Hawaiian language.	OMH, FIN
<u>SB 403, SD2, HD1</u> <u>(HSCR1069)</u> <u>Status</u>	RELATING TO BONDS. Authorizes the Office of Hawaiian Affairs to issue revenue bonds to fund loan programs.	OMH, FIN
<u>SB 407, SD1, HD1</u> <u>(HSCR1020)</u> <u>Status</u>	RELATING TO ISLAND BURIAL COUNCILS. Clarifies statutory provisions relating to composition and quorum of island burial councils.	OMH, FIN
<u>SB 406, SD2, HD1</u> <u>(HSCR1138)</u> <u>Status</u>	RELATING TO TRAINING. Requires OHA to establish, design, and administer a training course in native Hawaiian and Hawaiian rights and requires specified members of boards, councils, and commissions to take the course.	OMH, JUD, FIN
<u>SB 1010, SD1, HD1</u> <u>(HSCR1038)</u> <u>Status</u>	RELATING TO LEGAL SERVICES. Permits a deputy attorney general, except for the Attorney General's First Deputy, to provide pro bono legal services in the sole discretion of the Attorney General.	JUD, FIN



<u>SB 891</u> <u>(HSCR1001)</u> <u>Status</u>	RELATING TO NOTARIES PUBLIC. Clarifies the information required to be on notary seals, authorizes the attorney general to adjust notary commission and renewal fees, and authorizes other fees related to the regulation of notaries public to be established and adjusted by rules.	JUD, FIN
<u>SB 889, SD1, HD1</u> <u>(HSCR1071)</u> <u>Status</u>	RELATING TO ATTORNEY'S FEES. Clarifies that the Department of the Attorney General is allowed to recover attorney's fees and litigation costs where the State is the prevailing party in a court action and such recovery is authorized by statute, rule of court, agreement, stipulation, or precedent.	JUD, FIN
<u>SB 879, SD1, HD1</u> <u>(HSCR1113)</u> <u>Status</u>	RELATING TO WITNESSES. Amends section 621-7, Hawaii Revised Statutes, to increase the per diem payments for out-of-state witnesses in criminal cases. Provides an additional per diem payment for witnesses from any island other than the island on which the court is located, when that witness is required to stay overnight.	JUD, FIN
<u>SB 886</u> <u>(HSCR954)</u> <u>Status</u>	PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII STATE CONSTITUTION TO INCREASE THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES. Proposes a constitutional amendment to increase the mandatory retirement age for justices and judges from 70 to 80 years of age.	JUD, FIN
<u>SB 381, SD2, HD1</u> <u>(HSCR1112)</u> <u>Status</u>	RELATING TO COMPREHENSIVE PUBLIC FUNDING FOR ELECTIONS. Changes funding formula for the comprehensive public funding pilot project to average the amount of money used by winning candidates in the last two election periods for all county district races. Limits the number of candidates in the pilot program to fifteen per election period. Makes an appropriation of an unspecified amount to the Campaign Spending Commission.	JUD, FIN
<u>SB 873, SD2, HD1</u> <u>(HSCR1204)</u> <u>Status</u>	RELATING TO COLLECTION OF RESTITUTION FOR CRIME VICTIMS. Creates standards and procedures for income-withholding for purposes of enforcing restitution orders. Amends the definition of "debt" relating to the recovery of money owed to the State to include court-ordered restitution subject to civil enforcement. Provides priority of income withholding orders. Extends victims' access to adult probation records to include access to payment compliance records. Requires that any bail posted by a defendant be applied toward payment of any court-ordered restitution in the same case. Makes an unspecified appropriation to the Judiciary. Effective July 1, 2013.	JUD, FIN
<u>SB 633</u> <u>(HSCR1022)</u> <u>Status</u>	RELATING TO UNLICENSED CONTRACTING ACTIVITIES. Prohibits the value of any work done by a unlicensed contractor to be used as an offset for the value of the property calculated in unlicensed contractor fraud cases.	CPC, FIN
<u>SB 1039</u> <u>(HSCR995)</u> <u>Status</u>	RELATING TO THE PUBLIC UTILITIES COMMISSION. 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.	CPC, FIN



<u>SB 1042, SD2, HD1</u> <u>(HSCR991)</u> <u>Status</u>	RELATING TO THE PUBLIC UTILITIES COMMISSION. Improves the flexibility of the public utilities commission to hire professional staff. Clarifies staff who may be appointed by the chairperson of the commission. Repeals existing position staff descriptions for the commission under Act 177, Session Laws of Hawaii 2007. Effective 07/01/2112.	CPC, FIN
<u>SB 1066, HD1</u> <u>(HSCR992)</u> <u>Status</u>	RELATING TO SECURITIES LAW. Clarifies, corrects errors, and amends Hawaii's securities laws. Effective 7/1/2112.	CPC, FIN
<u>SB 997, SD2, HD1</u> <u>(HSCR1124)</u> <u>Status</u>	RELATING TO PUBLIC ARCHIVES. Clarifies the duties of the State Archivist to enable the department of accounting and general services to address the management of the digital archives and protection of electronic records of enduring value and to establish the state archives preservation and long-term access special fund.	CPC, FIN
<u>SB 511</u> <u>(HSCR1125)</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>SB 505, SD2, HD1</u> <u>(HSCR1123)</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Adds support for mediation of condominium related disputes as one of the educational purposes supported by the condominium education trust fund. Beginning with the July 1, 2015, biennium registration, imposes an additional annual condominium education trust fund fee dedicated to supporting mediation of condominium related disputes. Specifies the total fee payable into the condominium education trust fund. Requires the real estate commission to make adjustments to the condominium education trust fund to ensure adequate funds are available for mediation of condominium related disputes and any mediation requests are fully accommodated prior to the commencement of the additional annual condominium education trust fund fee. Effective July 1, 2050.	CPC, FIN
<u>SB 1070, SD2, HD1</u> <u>(HSCR1167)</u> <u>Status</u>	RELATING TO MORTGAGE SERVICERS. Authorizes the commissioner of financial institutions to conduct examinations and investigations and adjust the fees for mortgage servicer licensees to use NMLS. Effective July 1, 2112.	CPC, FIN
<u>SB 1069, SD2, HD1</u> <u>(HSCR1180)</u> <u>Status</u>	RELATING TO MORTGAGE LOAN ORIGINATION. Raises application and renewal fees for mortgage loan originators, mortgage loan originator companies, and exempt sponsoring mortgage loan originator companies; and establishes fees for mortgage servicer companies that conduct mortgage loan origination activities. Substitutes the word "NMLS" wherever the words "the Nationwide Mortgage Licensing System", or similar term, appears, as the context requires. Effective July 1, 2112.	CPC, FIN



SB 1071, SD2, HD1
(HSCR1176)
Status

RELATING TO FINANCIAL INSTITUTIONS.
Modernizes the State's financial institutions law, codified as chapter 412, Hawaii Revised Statutes. 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. Effective July 1, 2112.

CPC, FIN

SB 1067, SD2, HD1
(HSCR1177)
Status

RELATING TO ESCROW DEPOSITORIES.
Requires escrow depositories to report any change of their corporate designated escrow officer or branch manager to the Commissioner of Financial Institutions; establishes a statutory fee for the transfer or change in control of an escrow depository license; increases the fidelity bond maintained by escrow depositories to a minimum of \$100,000; increases the errors and omissions policy amount escrow depositories are required to carry to not less than \$250,000; increases fees; provides powers for the commissioner to supervise and regulate the industry; increases net capital requirement to \$100,000. Effective January 1, 2112.

CPC, 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: One copy to Room 306 in the State Capitol;

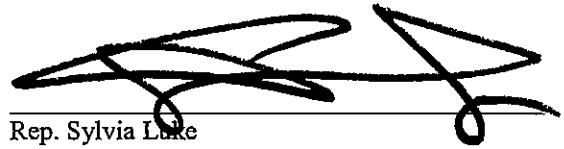
FAX: For testimony less than 5 pages in length, transmit to 1-800-535-3859 (for Neighbor Islander without a computer to submit testimony through the website); or

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 586-6200 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. Sylvia Luke
Chair

