

HOUSE OF REPRESENTATIVES  
THE TWENTY-NINTH LEGISLATURE  
REGULAR SESSION OF 2017

RECEIVED

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COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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Rep. Gregg Takayama

**AMENDED NOTICE OF HEARING**

DATE:      Tuesday, February 14, 2017  
TIME:      2:00 PM  
PLACE:     Conference Room 329  
              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: **HB 624, HD1**

HB 50, HD1  
(HSCR105)  
Status

RELATING TO APPRAISAL MANAGEMENT COMPANIES.  
Establishes an Appraisal Management Company Registration Program within the Department of Commerce and Consumer Affairs to conform to minimum standards of the Appraisal Management Companies Final Rule and Dodd-Frank Wall Street Reform and Consumer Protection Act. Establishes registration requirements, standards, and penalties for violations.

IAC, CPC, FIN

HB 75, HD1  
(HSCR138)  
Status

RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT.  
Extends the time given to an agency to submit a small business impact statement to the Departmental Advisory Committee on Small Business and the Small Business Regulatory Review Board. Gives the Board the opportunity to submit comments to the Governor within ten days after the proposed rules are submitted to the Governor for approval for public hearing. (HB75 HD1)

EDB, CPC, FIN

HB 190, HD1  
(HSCR102)  
Status

RELATING TO PRIVATE FLIGHT SCHOOLS.  
Requires the Department of Education to authorize private flight schools that: (1) are physically present in the State; (2) are certified by the Federal Aviation Administration; (3) offer flight instructor certificates; (4) request authorization; and (5) meet other requirements established by the rules of the Department. (HB190 HD1)

EDN/HED, CPC,  
FIN

HB 206, HD1  
(HSCR65)  
Status

RELATING TO ENHANCED 911 SERVICES.  
Establishes a prepaid wireless E911 surcharge at the point of sale. Allows sellers to deduct and retain for administrative purposes 3% of the surcharge that is collected. Requires deposit of surcharge balance in the enhanced 911 fund. (HD1)

IAC, CPC, FIN



<u>HB 238</u> <u>Status</u>	RELATING TO REAL ESTATE BROKERS. Creates criminal penalties for real estate brokers for improper deposit, segregation, or disposition of client trust account funds. Requires the principal broker to report the client trust account number and name of the managing institution to the real estate commission. Specifies that the principal broker must report changes in the account number and account location within ten days of a change. Authorizes the real estate commission to take action in circuit court to enforce client trust account requirements.	CPC, JUD
<u>HB 248, HD1</u> <u>(HSCR156)</u> <u>Status</u>	RELATING TO HEALTH INSURANCE. Requires all health insurers, including health benefits plans under chapter 87A, HRS, to disclose on their public web sites any standards, criteria, or information used for making preauthorization decisions. (HB248 HD1)	HLT, CPC, FIN
<u>HB 624, HD1</u> <u>(HSCR106)</u> <u>Status</u>	<b>RELATING TO THE INSTALLATION OF INFRASTRUCTURE.</b> <del>Clarifies the telecommunication exemptions to include small wireless and wireline facilities. Repeals and codifies in the Hawaii Revised Statutes provisions of Act 151, SLH 2011, that are permanent and general. Expands the definition of "wireless communications" antennas to include small wireless or wireline facilities. (HB624 HD1)</del>	IAC, CPC, FIN
<u>HB 637, HD1</u> <u>(HSCR114)</u> <u>Status</u>	RELATING TO THE STATE BUILDING CODES. Expedites the review, update, and adoption of the Uniform Plumbing Code as it relates to the Hawaii State Building Codes. (HB637 HD1)	WAL, CPC, FIN
<u>HB 648</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Clarifies that the removal or replacement of a director elected by a class of unit owners shall be by a majority of only the members of that class. Specifies that for an election in a mixed-use condominium project where directors are elected by different classes of owners, an association may cast a vote or votes allocated to any nonresidential unit owned by the association where those eligible to vote in the election are limited to owners of one or more nonresidential units, including the nonresidential unit owned by the association.	CPC, JUD
<u>HB 735, HD1</u> <u>(HSCR141)</u> <u>Status</u>	RELATING TO MOTOR VEHICLE RENTAL INDUSTRY. Allows lessors of rental motor vehicles to pass on to lessees a government assessed fee. Defines government assessed vehicle fee and vehicle license recovery fee. (HB735 HD1)	TRN, CPC, FIN
<u>HB 1245, HD1</u> <u>(HSCR113)</u> <u>Status</u>	RELATING TO CEMETERIES. Requires DCCA in consultation with Comptroller to develop strategies for repair and maintenance of Sunset Memorial Park in Pearl City, Oahu. Authorizes DCCA to access the Sunset Memorial Trust Fund. Limits liability for persons maintaining or repairing cemetery grounds. Requires report to Legislature. (HB1245 HD1)	WAL, CPC, FIN



<p><u>HB 1308, HD1</u> (HSCR152) <u>Status</u></p>	<p>RELATING TO HOMEOWNERS ASSOCIATIONS. Requires the Auditor to conduct a study, including a cost analysis, on the necessity and feasibility of establishing an agency within the Department of Commerce and Consumer Affairs to regulate homeowners associations, and to submit a report of its progress to the Legislature prior to the 2018 Regular Session. (HB1308 HD1)</p>	<p>HSG, CPC, FIN</p>
<p><u>HB 1325</u> (HSCR51) <u>Status</u></p>	<p>RELATING TO BIOSECURITY. Requires the DOA to establish parameters and construction requirements for biosecurity facilities that provide for and ensure the safety of agricultural and food commodities. Makes appropriations for the biosecurity program, including projects for import replacements of high risk crops.</p>	<p>AGR, CPC, FIN</p>
<p><u>HB 1574, HD1</u> (HSCR218) <u>Status</u></p>	<p>RELATING TO ENERGY RATES. Requires the public utilities commission to establish a tiered rate structure for customers of electric utilities. Requires the commission to establish discounted rates for low-income customers of electric utilities. Directs the public benefits fee to be appropriately tiered. Allows the fee to be used to benefit energy efficiency advancement for low- and middle-income ratepayers and for emergency energy workforce retraining and transition programs.</p>	<p>EEP, CPC, FIN</p>
<p><u>HB 1181, HD1</u> (HSCR209) <u>Status</u></p>	<p>RELATING TO WORKERS' COMPENSATION PRESCRIPTION DRUG REIMBURSEMENT. Amends the reimbursement rate for prescription drugs in the workers' compensation system to be ninety per cent of the average wholesale price. Restricts the provision of physician-dispensed prescription drugs to an unspecified time following injury. (HB1181 HD1)</p>	<p>LAB, CPC, FIN</p>
<p><u>HB 1080, HD1</u> (HSCR182) <u>Status</u></p>	<p>RELATING TO THE AUTHORITY TO ADJUST PROFESSIONAL AND VOCATIONAL LICENSING FEES. Updates section 92-28, Hawaii Revised Statutes, to include all of the Department of Commerce and Consumer Affairs' professional and vocational licensing chapters to allow for flexibility to adjust professional and vocational licensing fees in a timely manner, subject to the approval of the Governor. (HB1080 HD1)</p>	<p>IAC, CPC, FIN</p>
<p><u>HB 1471, HD1</u> (HSCR180) <u>Status</u></p>	<p>RELATING TO TAXATION. Allows transient accommodations brokers to register as tax collection agents to collect and remit general excise and transient accommodations taxes on behalf of operators and plan managers using their services. Ensures that the subject property is in compliance with applicable land use laws. Allocates \$1,000,000 of TAT revenues to each county for FY 2017-2018. Sunsets on 12/31/2022. (HB1471 HD1)</p>	<p>TOU, CPC, FIN</p>
<p><u>HB 1262, HD1</u> (HSCR183) <u>Status</u></p>	<p>RELATING TO CHARTER TOUR OPERATORS. Permits charter tour operators to maintain client trust accounts in a federally insured financial institution outside the State; provided that charter tour operators agree to allow the Department of Commerce and Consumer Affairs to access the tour operator's financial records through the financial institution. (HB1262 HD1)</p>	<p>IAC, CPC, FIN</p>



HB 1081, HD1  
(HSCR186)  
Status

RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS.

IAC, CPC, JUD

Authorizes the issuance of a citation for specific violations of beauty culture laws by licensees and permittees. Sets forth a process for licensees and permittees to contest the citation and provides for the assessment of fines for each violation. (HB1081 HD1)

HB 914, HD1  
(HSCR215)  
Status

RELATING TO HEALTH INSURANCE.

HLT, CPC, FIN

Requires a health carrier with a network plan to maintain a network that provides sufficient practitioners and services to meet the needs of the enrollees or members. (HB914 HD1)

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: 25 copies (including an original) to Room 327 in the State Capitol;


FAX: For testimony less than 5 pages in length, transmit to 808-586-6221 (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. 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 586-6437 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" website at [www.capitoltv.org](http://www.capitoltv.org) or call 536-2100.

  
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Rep. Angus L.K. McKelvey  
Chair

