

HOUSE OF REPRESENTATIVES  
THE TWENTY-EIGHTH LEGISLATURE  
REGULAR SESSION OF 2016

RECEIVED

2016 FEB -4 P 3: 51

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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Rep. Derek S.K. Kawakami	Rep. Beth Fukumoto Chang
Rep. Chris Lee	Rep. Bob McDermott

AMENDED NOTICE OF HEARING

DATE: Monday, February 08, 2016  
TIME: 2:05 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: **HB2164**

<u>HB 2515</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Clarifies that when a unit owner and association reach a payment plan to cure a nonjudicial foreclosure, completion of the payment plan is required to cure the default. Prohibits an association from converting unpaid fines into fees that may cause a unit owner to default. Requires mediation by a unit owner and association over disputed fines before a foreclosure can be commenced.	CPC, JUD, FIN
<u>HB 2619</u> <u>Status</u>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Gives the Real Estate Commission enforcement powers over planned community associations.	CPC, JUD
<u>HB 2633</u> <u>Status</u>	RELATING TO PRODUCT LABELING. Establishes product labeling standards for products purporting to be Hawaiian sea salt or alaea salt.	CPC, FIN
<u>HB 1802</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Establishes the office of the condominium ombudsman, to be headed by the condominium ombudsman, within the department of commerce and consumer affairs. Appropriates funds for administrative costs associated with the establishment of the office of the condominium ombudsman.	CPC, FIN
<u>HB 2651</u> <u>Status</u>	RELATING TO PUBLIC ACCOUNTANCY. Defines the term "Hawaii attest work". Provides clarification to the term "peer review".	CPC, FIN



SB 805  
(HSCR1017)  
Status

RELATING TO HEALTH.

HLT, CPC

Removes the sunset provision from Act 255, Session Laws of Hawaii 2012, relating to the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse".

HB 1626  
Status

RELATING TO PRIVATE DETECTIVE AND PRIVATE GUARD IDENTIFICATION.

CPC, JUD, FIN

Prohibits private detectives and private guards from self-identifying as law enforcement officers, police, or police officers and wearing or using any badge, uniform, equipment, vehicle, or other accoutrement capable of being associated with that of a law enforcement officer employed by a government law enforcement organization. Imposes a fine for violations.

HB 2324  
Status

RELATING TO INSURANCE.

CPC, FIN

Adopts the National Association of Insurance Commissioners' ("NAIC") Risk Management and Own Risk and Solvency Assessment Act; applies chapter 431, Hawaii Revised Statutes, provisions to risk retention captive insurance companies; includes new corporate governance language from the NAIC Model Risk Retention Act.

HB 2325  
Status

RELATING TO INSURANCE.

CPC, FIN

Makes various updates to title 24, Hawaii Revised Statutes, including: requiring property insurers to establish catastrophe reserve funds; requiring an insurer seeking to discontinue writing property coverage to file an affidavit; requiring the Insurance Commissioner's authorization for insurers providing residential property coverage; requiring insurers to file their premium tax statements electronically and to pay electronically; applying consumer protections to short-term health policies with preexisting conditions provisions; including physician assistant-delivered services under coverage for child health supervision for accident and health or sickness policies and for mutual benefit societies; requiring an entity to notify a claim filer under certain conditions; prohibiting a risk retention group from being a sponsor of and allowing it to be a participant in a sponsored captive insurance company; providing mental illness benefits coverage to licensed dietitians; requiring an entity's duty to respond to the Insurance Commissioner during an investigation or examination; providing visual or optometric services coverage for licensed physicians and optometrists and surgical or emergency services coverage for dentists under health plans of mutual benefit societies; providing coverage for pharmacist-delivered contraceptive services; and making other housekeeping and conforming amendments.

HB 2326  
Status

RELATING TO MORTGAGE RESCUE FRAUD.

CPC, FIN

Harmonizes Hawaii's Mortgage Rescue Fraud Prevention Act with the Federal Trade Commission's Mortgage Assistance Relief Services Rule. Provides technical amendments.

HB 2164  
Status

RELATING TO REAL ESTATE LICENSEE ADVERTISING.

CPC, JUD

Provides definitions of "advertising" and "solicitation materials" as they apply to the regulation of real estate brokers and salespersons. Specifies information that must be included on advertising and solicitation materials.



<u>HB 2283</u> <u>Status</u>	RELATING TO CHARITABLE SOLICITATION. Amends chapter 467B, Hawaii Revised Statutes, to require affirmative disclosures to donors by professional solicitors, to clarify the chapter's exemptions from registration, and to make other technical amendments to Hawaii's charitable solicitation law.	CPC, JUD
<u>HB 2320</u> <u>Status</u>	RELATING TO ESCROW DEPOSITORIES. Clarifies chapter 449, Hawaii Revised Statutes, by adding definitions and change in control requirements. Identifies previously authorized fees for initial license issuance; adds a nominal fee for license reissuance upon licensee name change; moves fee for application for proposed change in control to fee section. Authorizes the commissioner to implement use of NMLS, and changes license renewal date from July 1 to December 31 to conform to NMLS. Adds criminal background check and disclosure requirements to licensure and change in control applications, and amends section 846-2.7, Hawaii Revised Statutes, accordingly.	CPC, JUD
<u>HB 2329</u> <u>Status</u>	RELATING TO CONSUMER PROTECTION. Clarifies that the statute of limitations governing it does not apply to the State and its agencies with respect to chapter 480, Hawaii Revised Statutes. Repeals subsection (b) of section 480-24, Hawaii Revised Statutes. Technical amendments.	CPC, JUD
<u>HB 1663</u> <u>Status</u>	RELATING TO PEN REGISTERS. Amends the definition of "pen register" to include cell phones and other communications devices among those that the numbers transmitted to and from may be recorded.	CPC, JUD
<u>HB 2716</u> <u>Status</u>	RELATING TO SELF-STORAGE FACILITIES. Authorizes limits in rental agreements on the liability of the owner of self-service storage facilities based on the monetary value of the stored property and allows owner to send notices by e-mail, publish notices of sales in any commercially reasonable manner, conduct sales online, and charge late fees.	CPC, JUD
<u>HB 2319</u> <u>Status</u>	RELATING TO MONEY TRANSMITTERS. Clarifies chapter 489D, Hawaii Revised Statutes, requirements for money transmitter licensee change in control application, including requirement for criminal background check of persons who will assume control of the licensee. Updates reference to federal Regulation E.	CPC, FIN
<u>HB 2450</u> <u>Status</u>	RELATING TO HUNTING. Establishes the Hawaii apprentice hunting license program. Provides for the issuance of a Hawaii apprentice hunting license to program participants. Establishes requirements for program participation. Exempts holder of an apprentice license from taking the required hunter education class prior to licensure under section 183D-22, Hawaii Revised Statutes.	CPC, JUD
<u>HB 2487</u> <u>Status</u>	RELATING TO ELECTRONIC BENEFITS TRANSFER CARDS. Requires an electronic benefits cardholder to present photo identification for certain transactions.	CPC, JUD



HB 2608  
Status

RELATING TO DEFERRED DEPOSITS.

CPC, JUD

Requires registration of check cashers, requires bond, requires verification that customer has only one deferred deposit agreement outstanding at any time, allows extended payment plan by customer, increases investigatory and enforcement powers, and increases penalties for violations.

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Persons submitting testimony on the day of the hearing **MUST** submit 22 copies at the hearing. Staff will not be able to make copies. 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: 22 copies (including an original) to Room 304 in the State Capitol;

FAX: For testimony less than 5 pages in length, transmit to 808-586-6211 (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 586-6160 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

