

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

RECEIVED

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

2017 FEB -8 P 12: 21

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SERGEANT-AT-ARMS
HOUSE OF
REPRESENTATIVES

AMENDED NOTICE OF HEARING

DATE: Thursday, February 9, 2017
TIME: 2:00 PM
PLACE: Conference Room 329
 State Capitol
 415 South Beretania Street

AMENDED AGENDA

The following measure(s) has been **DELETED** from the agenda: **HB 1332**

HB 948
Status

RELATING TO THE FUEL TAX.
Requires every retail dealer to conspicuously post a tax rate decal on each pump owned or leased by the retail dealer that displays the current federal fuel tax, state fuel tax, each county's fuel tax, and state license tax assessed on a gallon of gasoline and other liquid fuel sold at the pump. Establishes the tax rate decal special fund to be administered by the department of agriculture. Provides a penalty. Makes appropriation. Takes effect on January 1, 2018.

CPC, FIN

HB 1332
Status

~~RELATING TO TAXATION.~~
~~Amends the excise tax rate on large cigars.~~

~~CPC, FIN~~

HB 71
Status

RELATING TO ETHICS.
Prohibits a sitting governor or mayor from maintaining outside employment or receiving emoluments.

CPC, LAB, JUD,
FIN

HB 1027
Status

RELATING TO NONPROFIT CORPORATIONS.
Amend chapter 414D, Hawaii Revised Statutes, to impose a duty of loyalty on directors and officers of nonprofit corporations, to prohibit directors from voting on matters where they have a conflict of interest, to recodify provisions that would allow nonprofit corporations to convert into and out of domestic nonprofit corporations, and to increase the length of time that the Attorney General has to review proposed dissolutions of public benefit corporations.

CPC, JUD



HB 1028
Status

RELATING TO CHARITABLE ORGANIZATIONS.

CPC, JUD

Defines "property" as used in section 28-5.2, Hawaii Revised Statutes, regarding protection of charitable assets. Requires certain disclosures on collection bins for donated clothing and household items by for-profit and nonprofit organizations, authorizes an officer or an agent to file an initial registration statement for a charity, requires notice to the Attorney General and specifies a procedure when a charity seeks deactivation from registration, authorizes the Attorney General to require electronic signature for financial reports filed by professional solicitors, clarifies what is being certified by the electronic signature and therefore subject to section 710-1063, Hawaii Revised Statutes, regarding penalties for unsworn statements shall apply, allows charitable organizations that file an IRS Form 990-PF to file annual reports with the Attorney General on the same schedule as charities that file an IRS Form 990 or 990EZ, repeals obsolete and updates references to accrediting organizations, and clarifies that the exemption from registration for organizations that support educational institutions is a separate exemption from that of the educational institutions themselves.

HB 1172
Status

RELATING TO FIREWORKS.

CPC, JUD

Clarifies that probable cause for arrests by law enforcement officers of fireworks offenders may be established based on statements from witnesses; and photographs, video recordings, and other recordings that can be authenticated by one or more witnesses.

HB 1498
Status

RELATING TO CONDOMINIUMS.

CPC, JUD

Requires contracts between the association and the resident manager or general manager to be made available to any unit owner, and allows certain personal information to be redacted from the contracts.

HB 1499
Status

RELATING TO CONDOMINIUM ASSOCIATIONS.

CPC, FIN

Authorizes use of the condominium education trust fund to fund disputes among board members or involving the managing agent, and to pay the arbitration fees. Authorizes the option for binding arbitration if mediation fails to resolve a dispute.

HB 1019
Status

RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION.

CPC, FIN

Amend the responsibilities of the Comptroller to acquire risk management, investigative, claims adjustment, actuarial, and other services on a fee for services compensation method through an exemption of applicable sections in chapter 431, Hawaii Revised Statutes, that do not allow this. Chapter 431 only allows the State's insurance broker to be compensated through commissions paid by the insurance companies the State buys insurance from which are based on a percentage of the insurance policy premium.

HB 1086
Status

RELATING TO INSURANCE.

CPC, FIN

Provides the Insurance Commissioner express prior approval authority over long-term care insurance rates. Makes technical, nonsubstantive amendments for clarity and consistency.



HB 1087
Status

RELATING TO INSURANCE.

CPC, FIN

Updates Hawaii Revised Statutes title 24 by: changing the dollar amount of the benefits, recovery, or compensation obtained or attempted to be obtained for a class C felony, and misdemeanor; requiring insurers seeking a certificate of authority to submit a Uniform Certificate of Authority Application to the Insurance Division and to clarify that the insurer's name must comply with sections 431:3-202(b) and 431:4-104(d)(1); including application and service fees charged to motor vehicle self-insurers; allowing the Insurance Commissioner to issue a declaration before an event that may require the use of nonresident adjusters; complying with the National Association of Insurance Commissioners' Producer Licensing Model Act; allowing third-party claimants to claim the general excise tax and certificate of ownership fee in total loss claims; requiring that certain costs and expenses incurred by the Insurance Commissioner during supervisory proceedings be paid or reimbursed by the assets of the insurer; and making technical, nonsubstantive amendments for clarity and consistency.

HB 665, HD1
(HSCR39)
Status

RELATING TO VICTIMS OF SEXUAL VIOLENCE.

HLT, CPC, FIN

Requires health insurance coverage for case management services by licensed mental health providers for victims of sexual violence. (HD1)

HB 1566, HD1
(HSCR43)
Status

RELATING TO THE PUBLIC UTILITIES COMMISSION.

EEP, CPC

Establishes "substantial net benefit" as the public utilities commission's standard for a transfer or assignment of an electric utility and specifies certain guidelines to address when examining whether a substantial net benefit exists. (HB1566 HD1)

HB 674, HD1
(HSCR13)
Status

RELATING TO CHILD CARE PROVIDERS.

HUS, CPC

Requires all child care providers subject to regulation by the Department of Human Services to obtain and maintain liability insurance as a condition of licensure, temporary permission, or registration. (HB674 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.

Hearing CPC 02-09-17.docx



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 at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

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Rep. Angus L.K. McKelvey
Chair

