

Senator Will Espero and Your Legislature Working For You

An Update of Legislative Bills for the 2007 Session

Forget the saying about "there are two things you shouldn't watch being made, sausage and laws." Law making is negotiating, compromising, and dialoguing about ideas for making the community a better place. This process works best when there is active community participation, as ideas brought to us are considered, worked out and fine-tuned for the overall good of our state.

Many important issues are under consideration. This update tells about bills in the Senate to promote a healthier Hawaii, protect consumers and the elderly, and advance technology development in our islands.

Ideas are brought to us, from you, the residents, businesses, and organizations of Hawaii, usually before each legislative session opens. Legislators draft bills based on these ideas and introduce them for consideration. More than 4000 of your ideas - now in bill form - were brought to life in this 2007 Session.

The 2007 legislative session, which opened on January 17, runs through May 3. You can get information on the internet at www.capitol.hawaii.gov. At this website, you can find bills, hearing notices, and other information.

Bills are referred to the committees that deal with their particular subject matter. The chairs of the committees prioritize the bills, and schedule hearings for those they feel are most pressing. If a bill is scheduled for hearing, please, by all means, if you're interested, testify!

Put your concerns or support in writing, and send it to the committee chair at least 24 hours before the scheduled hearing. The hearing notice will usually tell how many copies need to be given to the committee chair's office. Bills need public support to keep moving through the process, so written input from the public is vital. We encourage you to let us know what your experiences and observations are with respect to a bill, to help the legislature in crafting workable and sensible laws.

Here now is the first of my updates for this 2007 legislative session.

Biking for a healthier Hawaii (SB 152)

Many people enjoy the pathway along Ft. Weaver Road in Ewa Beach, whether biking, jogging or strolling their babies. **S.B. 152 will expand bikeways.** Under the bill, at least 2% of federal highway money will be used for bike paths and bike lanes, along with a reasonable amount of state highway maintenance funds to keep bikeways in safe condition. The bill passed the Transportation & International Affairs Committee, of which I am a member, and

will go to the Ways & Means Committee, chaired by Senator Roslyn Baker. *S.B. 152, "Relating to Transportation."*

Lemon Law expanded (SB 827)

S.B 827 will give motorcycle owners the same protections as new car owners. Under the bill, the express warranty protection that automobiles now have will be extended to motorcycles. The bill passed the Transportation & International Affairs Committee, of which I am a member, and will go to the Commerce, Consumer Protection and Affordable Housing Committee, chaired by Senator Brian Taniguchi *S.B. 827, "Relating to Motor Vehicle Express Warranty Enforcement."*

Spaceship Hawaii (SB 907)

S.B. 907 creates an Office of Aerospace Development in the state Department of Business, Economic Development and Tourism. The proposed office will make Hawaii a leader in the aerospace industry by expanding and diversifying aerospace related industries, such as environmental monitoring, meteorology, satellite communications, applied optics, technology transfer, and similar endeavors. The office will partner with the University of Hawaii and businesses to increase Hawaii's competitiveness in national and global aerospace markets. The bill passed the Transportation & International Affairs Committee, of which I am a member, and will go to the Ways & Means Committee, chaired by Senator Roslyn Baker. *S.B. 907, "Relating to Aerospace Development."*

Protecting our elderly

Our seniors are vulnerable to those who target them for unjust economic benefit. To protect the elderly, the Senate is considering two bills penalizing financial predators. Fraud against seniors is appalling because seniors often are retired, have to live off their life's savings, and may be more vulnerable than other investors. The high monetary penalties are intended to deter those who might try to take advantage of seniors financially.

S.B. 1392 deals with securities fraud. It allows a commissioner or court, when imposing penalties for securities violations, to charge an additional civil penalty of up to \$50,000 for each violation committed against a person age 62 or older. *S.B. 1392, "Relating to Enhanced Penalties for Securities Violations Committed Against Elders."*

S.B. 1422 deals with mortgage brokers and solicitors. It allows additional fines of up to \$10,000 per violation, for conduct against a person age 62 or older, in addition to other fines or penalties for those violations. *S.B. 1422, "Relating to Sanctions for Violations by Mortgage Brokers and Solicitors Committed Against Elders."*

Both bills passed out of the Commerce, Consumer Protection and Affordable Housing Committee, chaired by Senator Brian Taniguchi. They now go to the Senate Judiciary Committee, which is chaired by Senator Clayton Hee.

Protecting the vulnerable

Another group of people targeted by fraudsters are those in danger of losing their homes. **S.B. 1418 deals with "mortgage rescuers," those who promise to help homeowners save their homes from foreclosure.** These so-called "mortgage rescuers" say they will help the desperate homeowners, for fees of a few thousand dollars or even liens on the home to supposedly negotiate with creditors. After collecting the money, many essentially abandon the homeowners. In the worst cases, the "rescuer" persuades the family to deed the home over to the "consultant," supposedly to give the family time to clear their credit and refinance the property. Typically, these "rescuers" then evict the family from their own home and take ownership of the home. The **Mortgage Rescue Fraud Prevention Act** deals with these deceptive practices by forcing these "consultants" to give homeowners a written contract spelling out the services the consultants will perform, and giving homeowners the right to cancel at any time before the services are performed. The bill passed out of the Commerce , Consumer Protection and Affordable Housing Committee, chaired by Senator Brian Taniguchi, and will go to the full Senate for a vote. *S.B. 1418, "Relating to the Prevention of Mortgage Rescue Fraud."*

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