

STAND. COM. REP. NO. 191

Honolulu, Hawaii
Feb 8, 2007

RE: H.B. No. 1328
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 1328 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT
OFFENDERS,"

begs leave to report as follows:

The purpose of this bill is to deter insurance fraud by
including felony insurance fraud relating to workers'
compensation, accident and health or sickness, and motor vehicle
insurance, as well as mutual benefit societies and health
maintenance organizations, among the offenses subject to repeat
felony offender sentencing.

The Department of Commerce and Consumer Affairs and the
Department of the Attorney General testified in support of this
bill.

Your Committee finds that while enhancing the penalties for
insurance fraud will help protect the public, there are concerns
about the potential impact this bill may have on correctional
facilities, including the effect of this measure on prison
populations and taxpayer cost.

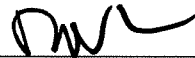
Your Committee has amended this measure by changing the
descriptions of the insurance fraud felonies added to the repeat
offender sentencing statute so that the descriptions track the
language of each felony's respective statutory section.

HB1328 HD1 HSCR CPC HMS 2007-1734



As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1328, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1328, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 191

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB1328		Date: January 31, 2007		
Committee Referral: CPC, JUD		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	✓			
2. McKELVEY, Angus L.K. (VC)				✓
3. CALDWELL, Kirk	✓			
4. EVANS, Cindy	✓			
5. GREEN, Josh, M.D.	✓			
6. ITO, Ken	✓			
7. LUKE, Sylvia				✓
8. MORITA, Hermina M.	✓			
9. SONSON, Alex M.	✓			
10. SOUKI, Joseph M.				✓
11. TSUJI, Clift	✓			
12. YAMANE, Ryan I.	✓			
13. YAMASHITA, Kyle T.	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia	✓			
TOTAL	12			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				