Honolulu, Hawaii

Fe 515, 2008

RE: H.B. No. 3098 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 3098 entitled:

"A BILL FOR AN ACT RELATING TO ACTIVITIES REGULATED BY THE INSURANCE COMMISSIONER,"

beg leave to report as follows:

The purpose of this bill is to improve the regulation of activities under the jurisdiction of the Insurance Commissioner by, among other things:

- (1) Providing for the automatic inactivation of the license or registration of a surplus line broker, reinsurance intermediary, managing general agent, vehicle protection product warrantor (Warrantor), or service contract provider (Provider) for failing to make timely payments of license or registration fees;
- (2) Amending the continuing education requirements for insurance producers to, among other things, include ethics training;
- (3) Requiring Warrantor and Provider registration records to be updated annually or within 30 days of any change, whichever is sooner; and
- (4) Providing Warrantors and Providers greater flexibility in selecting a qualified insurer to provide its

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reimbursement insurance policies or contractual liability policies, respectively.

The Department of Commerce and Consumer Affairs and the National Association of Insurance and Financial Advisors-Hawaii testified in support of this bill. The Hawaii Independent Insurance Agents opposed this measure. The American Council of Life Insurers submitted comments.

Your Committees have amended this bill by:

- (1) Changing the continuing education requirements for insurance producers to the following:
 - (A) For a license to sell single lines of insurance, 20 total credit hours, including 17 credit hours relating to the line of insurance and three credit hours relating either to ethics training or to insurance laws and rules; and
 - (B) For a license to sell multiple lines of insurance, 24 total credit hours, including four combined credit hours relating to either ethics training or insurance laws and rules and the remaining combined credit hours relating to the lines of insurance;
- (2) Requiring Warrantor and Provider registration records to be updated annually or within 60 days of any change, whichever is sooner;
- (3) Providing that Warrantors and Providers who fail to make timely payment of registration fees face a penalty of 25 percent of unpaid fees, to be paid within 60 days from the date of automatic inactivation of the registration; and
- (4) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 3098, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 3098, H.D. 1, and be referred to the Committee on Finance.

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Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

TOMMY WATERS, Chair

ROBERT N. HERKES, Chair

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HICK 646-01

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral:	Date	ام داری	
нв 3098	CPC/JUD, FIN	02	Elulos	
☐ The committee is reconsidering its previ	ious decision on the measure.			
	unamended (as is) Pa	ss, with amendments		
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	X			esercing group in
2. McKELVEY, Angus L.K. (VC)	*			
3. EVANS, Cindy				×
4. GREEN, Josh, M.D.	*			•
5. ITO, Ken	Y			ne ellinin alkani esi elli
6. LUKE, Sylvia	\ \X			
7. MORITA, Hermina M.				X
8. SONSON, Alex M.				٧
9. SOUKI, Joseph M.	***			
10. TSUJI, Clift	<u> </u>			
11. YAMANE, Ryan I.	X			
12. YAMASHITA, Kyle T.	<u> </u>			
13. MARUMOTO, Barbara C.	γ	ur egyptering		
14. THIELEN, Cynthia	<u> </u>			
	/			
TOTAL (14)	V	0	0	3
The recommendation is: Adop	pted	did not supp	ort recommendation	n.
Vice Chair's or designee's signature:	LUV		***************************************	
Distribution: Original (White) – Com	nmittee Duplicate (Yel	low) – Chief Clerk's (Office	

State of Hawaii House of Representatives The Twenty-fourth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:		Date:				
НВ3098	CPC/JUD, FIN	FEB 11, 2008					
☐ The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold							
 Pass short form bill with HD to recommit for future public hearing (recommit) 							
JUD Members	Ayes	Ayes (WR)	Nays	Excused			
1. WATERS, Tommy (C)				Market Comment			
2. OSHIRO, Blake K. (VC)							
3. EVANS, Cindy							
4. GREEN, Josh, M.D.							
5. ITO, Ken			Pulls of Australia Substitution				
6. LUKE, Sylvia							
7. McKELVEY, Angus L.K.							
8. MORITA, Hermina M.							
9. SONSON, Alex M.		galactical of					
10. SOUKI, Joseph M.				and the state of t			
11. TSUJI, Clift							
12. YAMANE, Ryan I.							
13. YAMASHITA, Kyle T.							
14. MARUMOTO, Barbara C.				ingen and			
15. PINE, Kymberly Marcos							
16. THIELEN, Cynthia							

			^				
TOTAL (16)	13	0	0	3			
The recommendation is: Adopted If joint referral, committee acronym(s) Not Adopted did not support recommendation.							
Vice Chair's or designee's signature:							
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