STAND. COM. REP. NO. 1194 -08

Honolulu, Hawaii

Mach 19, 2008

RE: S.B. No. 3008 S.D. 2

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 S.B. No. 3008, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS,"

beg leave to report as follows:

The purpose of this bill is to streamline and update the Code of Financial Institutions by eliminating obsolete requirements and improving the procedures for the licensing and regulation of financial institutions in Hawaii by the Department of Commerce and Consumer Affairs. Among other things, this measure:

- (1) Requires financial services loan companies to conspicuously display their licenses;
- (2) Addresses temporary closures of Hawaii financial institutions during emergencies;
- (3) Clarifies the authority of a person to serve as a trustee or trust company;
- (4) Clarifies how prepayment penalties are calculated;
- (5) Clarifies when the Commissioner of Financial Institutions may examine a financial institution holding company; and

(6) Places a Hawaii licensed foreign bank on equal footing with a Hawaii state-chartered financial institution when relocating its place of business less than a mile from its existing location.

The Department of Commerce and Consumer Affairs and Hawaii Financial Services Association testified in support of this bill.

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 S.B. No. 3008, S.D. 2, and recommend that it pass Second Reading and be referred to the Committee on Finance.

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

TOMMY WATERS, Chair

ROBERT N. HERKES, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: Committee Referral: Date: SB3008,SD2 (SSCR2608) CPC/JUD, FIN							
☐ 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)							
CPC Members	Ayes	Ayes (WR)	Nays	Excused			
1. HERKES, Robert N. (C)	\						
2. McKELVEY, Angus L.K. (VC)	7						
3. EVANS, Cindy	x						
4. GREEN, Josh, M.D.	ķ						
5. ITO, Ken	Y						
6. LUKE, Sylvia	8						
7. MORITA, Hermina M.				γ			
8. SONSON, Alex M.				ý			
9. SOUKI, Joseph M.				7			
10. TSUJI, Clift	\ \ x			•			
11. YAMANE, Ryan I.	K						
12. YAMASHITA, Kyle T.	>						
13. MARUMOTO, Barbara C.	ν γ						
14. THIELEN, Cynthia				~			
TOTAL (14)	10	0	0	4			
The recommendation is: Adopted If joint referral, committee acronym(s) Adopted did not support recommendation.							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office							

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Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB3008, SD2 (SSCR2608)	Committee Referral: CPC/JUD, FIN	i	3-13-0 8				
☐ 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)							
2. OSHIRO, Blake K. (VC)	1						
3. EVANS, Cindy							
4. GREEN, Josh, M.D.							
5. ITO, Ken							
6. LUKE, Sylvia							
7. McKELVEY, Angus L.K.							
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.				American State of the Control of the			
15. PINE, Kymberly Marcos							
16. THIELEN, Cynthia							
TOTAL (16)	12			4			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office							