STAND. COM. REP. NO. 540

Honolulu, Hawaii

Feb 18 , 2011

RE: H.B. No. 1050

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 1050 entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

beg leave to report as follows:

The purpose of this bill is to modernize the laws regulating legal service plans and allow the Insurance Commissioner to take action against plans that fail to comply with the law.

The Department of Commerce and Consumer Affairs (DCCA) supported this measure.

Your Committees have amended this bill by:

- (1) Clarifying that the Insurance Commissioner has 90 days from filing of the application by the plan to issue or deny a certificate of authority;
- (2) Repealing provisions that allocated 50 percent of the fees and penalties to the General Fund, thereby depositing all fees and penalties into the Compliance Resolution Fund;
- (3) Specifying that a fee for each criminal history record check and fingerprinting checking be established by the Insurance Commissioner;

HB1050 HD1 HSCR CPC-JUD HMS 2011-2273

- (4) Clarifying the repeal and reenactment provisions related to the various DCCA fees; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, 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. 1050, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1050, H.D. 1, and be referred to the Committee on Finance.

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

GILBERT KEITH-AGARAN, Chair

ROBERT N. HERKES, Chair



State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1050	Committee Referral:	JUD, FIN Date:	2/14	/2011			
☐ 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. YAMANE, Ryan I. (VC)	-		,				
3. BROWER, Tom							
4. CABANILLA, Rida T.R.							
5. CARROLL, Mele							
6. ITO, Ken							
7. KEITH-AGARAN, Gilbert S.C.							
8. LUKE, Sylvia							
9. McKELVEY, Angus L.K.							
10. MORITA, Hermina M.							
11. OSHIRO, Blake K.			W =				
12. SOUKI, Joseph M.							
13. TSUJI, Clift							
14. CHING, Corinne W.L.							
15. MARUMOTO, Barbara C.			, <u>,</u>				
16. THIELEN, Cynthia							
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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 Duplicate (Pink) – HMSO							



State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1050	Committee Referral:	11UD, FIN Date:	2114/11				
☐ 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. KEITH-AGARAN, Gilbert S.C. ((C)		•				
2. RHOADS, Karl (VC)							
3. BROWER, Tom							
4. CABANILLA, Rida T.R.							
5. CARROLL, Mele							
6. HERKES, Robert N.	V						
7. ITO, Ken							
8. LUKE, Sylvia							
9. McKELVEY, Angus L.K.							
10. MORITA, Hermina M.							
11. OSHIRO, Blake K.	<u> </u>						
12. SOUKI, Joseph M.							
13. TSUJI, Clift	V						
14. FONTAINE, George R.							
15. MARUMOTO, Barbara C.							
16. THIELEN, Cynthia							
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TOTAL (16)	12	0	0	4			
The recommendation is: Adop	-	ed					
If joint referral, did not support recommendation.							
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Vice Chair's or designee's signature:							
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