

HOUSE OF REPRESENTATIVES
THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008

COMMITTEE ON CONSUMER PROTECTION & COMMERCE RECEIVED

Rep. Robert N. Herkes, Chair

Rep. Angus L.K. McKelvey, Vice Chair

2008 FEB -5 P 12: 10

Rep. Cindy Evans	Rep. Joseph M. Souki
Rep. Josh Green, M.D.	Rep. Clift Tsuji
Rep. Ken Ito	Rep. Ryan I. Yamane
Rep. Sylvia Luke	Rep. Kyle T. Yamashita
Rep. Hermina M. Morita	Rep. Barbara C. Marumoto
Rep. Alex M. Sonson	Rep. Cynthia Thielen

SERGEANT-AT-ARMS
HOUSE OF
REPRESENTATIVES

COMMITTEE ON JUDICIARY

Rep. Tommy Waters, Chair

Rep. Blake K. Oshiro, Vice Chair

Rep. Cindy Evans	Rep. Joseph M. Souki
Rep. Josh Green, M.D.	Rep. Clift Tsuji
Rep. Ken Ito	Rep. Ryan I. Yamane
Rep. Sylvia Luke	Rep. Kyle T. Yamashita
Rep. Angus L.K. McKelvey	Rep. Barbara C. Marumoto
Rep. Hermina M. Morita	Rep. Kymberly Marcos Pine
Rep. Alex M. Sonson	Rep. Cynthia Thielen

NOTICE OF HEARING

DATE: Thursday, February 7, 2008
TIME: 2:00 pm
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

A G E N D A

HB 2947

RELATING TO MARINE INSURANCE.

Enacts modified version of the British Marine Insurance Act 1906, with the modifications for disclosures and warranties. Defines "marine insurance", specifies necessity of an insurable interest, requires a policy, addresses issues relating to voyage, loss and abandonment, and indemnity.

CPC/JUD, FIN

HB 3096

RELATING TO INSURANCE.

Adopts National Association of Insurance Commissioners (NAIC) Model provisions relating to the insurers' disclosure of material financial transactions and actuarial reports. The uniform reporting requirements for all insurers is necessary to meet NAIC requirements for accreditation.

CPC/JUD, FIN

HB 3097

RELATING TO INSURANCE.

Provides insurers with greater investment flexibility by updating the Insurance Code to reflect the investment strategies, such as stocks, bonds, and notes developed since the Code was last updated in 1987.

CPC/JUD, FIN



HB 3098 RELATING TO ACTIVITIES REGULATED BY THE INSURANCE COMMISSIONER. CPC/JUD, FIN
Creates uniformity between other states' laws and Hawaii law in regard to licensing requirements. Increases educational requirements to keep a license, automatically inactivates a license if fees are not paid on time, allows reactivation if the fee is paid in 30 days, and broadens the types of reinsurance that can be used to meet the financial obligations of insurance agents.

HB 3103 RELATING TO INSURANCE. CPC/JUD, FIN
Clarifies suspension pending a hearing requirements for actions to suspend, revoke, or refuse to renew a license. Establishes a cap on the bond amount that managing general agents are required to furnish. Requires insurers to require managing general agents's compliance with bond and errors and omissions policy requirements. Conforms financial statement filing requirements for title insurers with existing law.

DECISION MAKING TO FOLLOW

DECISION MAKING ONLY ON THE FOLLOWING MEASURES:

(No testimony will be accepted.)

HB 2308 RELATING TO CHARITABLE ORGANIZATIONS. CPC/JUD, FIN
Requires charitable organizations to register with the attorney general. (Deferred from Thursday, January 31 hearing.)

HB 2309 MAKING AN APPROPRIATION RELATING TO OVERSIGHT OF CHARITABLE ORGANIZATIONS. CPC/JUD, FIN
Appropriates funds for the attorney general to provide more rigorous monitoring of expenditures and fundraising activities of charities. (Deferred from Thursday, January 31 hearing.)

HB 2749 RELATING TO PERSONAL INFORMATION. CPC/JUD, FIN
Implements recommendations of the 12/2007 report of the Hawaii identity theft task force to protect the security of personal information collected and maintained by state and county government. (Deferred from Thursday, January 31 hearing.)

HB 2252 RELATING TO INSURANCE. CPC/JUD, FIN
Replaces the property and liability insurance guaranty association act with the National Conference of Insurance Legislators post-assessment property liability insurance guaranty association model act, which provides among other things expanded provisions on "covered claims" and replaces the association's power to cancel policies issued by insolvent insurers with immunity from pre-liquidation settlements of the insurer. (Deferred from Thursday, January 31 hearing.)

HB 2326 RELATING TO MORTGAGES. CPC/JUD, FIN
Imposes certain restrictions on foreclosure consultants. Requires foreclosure consulting contracts to be in writing containing full disclosure of nature of consulting services to be provided, along with right to cancel. Prohibits certain acts by foreclosure consultants. Requires disclosures relating to foreclosure reconveyances and right to rescind any transfer of deed or title by homeowner. Exempts measure from "Sunrise Law" review. (Deferred from Thursday, January 31 hearing.)



HB 3088

RELATING TO RESIDENTIAL MORTGAGE PRACTICES.

CPC/JUD, FIN

Repeals the law on Mortgage Brokers and Solicitors, chapter 454, Hawaii Revised Statutes, and replaces it with a statute that provides for more specialized regulation of residential mortgage brokers, residential mortgage lenders and residential loan originators by the Division of Financial Institutions.

(Deferred from Thursday, January 31 hearing.)

HB 3104

RELATING TO THE PREVENTION OF MORTGAGE RESCUE FRAUD.

CPC/JUD, FIN

Requires mortgage foreclosure rescuers to provide specific information and disclosures to distressed property owners as well as impose specific prohibitions on mortgage foreclosure rescuers.

(Deferred from Thursday, January 31 hearing.)

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing with a transmittal cover indicating:

- Testifier's name with position/title and organization;
- The Committee the comments are directed to;
- The date and time of the hearing;
- Measure number; and
- The number of copies the Committee is requesting.

While every effort will be made to copy, organize, and collate all testimony received, materials received on the day of the hearing or improperly identified or directed to the incorrect office, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 5 copies (including an original) to CPC Vice Chair, Room 315, in the State Capitol; or

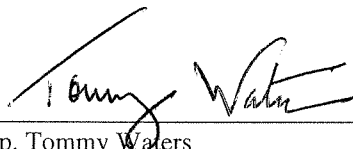
FAX: For comments less than 5 pages in length, transmit to CPC Vice Chair at 586-6161 (Oahu) or 1-800-535-3859 (Neighbor Islands).

EMAIL: For comments less than 5 pages in length, transmit to: CPCtestimony@Capitol.hawaii.gov

Testimony submitted will be placed on the Legislative Web site after the hearing adjourns. This public posting of testimony on the Web site should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the CPC Chair's Committee Clerk at 586-6172 or email your request for an interpreter to HouseInterpreter@Capitol.hawaii.gov at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" Web site at www.capitoltv.org OR call 550-8074.



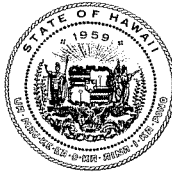
Rep. Tommy Waters
Chair



Rep. Robert N. Herkes
Chair

CPC-JUD 02-07-08





HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813


February 5, 2008


RECEIVED

2008 FEB -5 P 12: 10

SERGEANT-AT-ARMS
HOUSE OF
REPRESENTATIVES

MEMORANDUM

TO: Chair Tommy Waters 
House Committee on Judiciary

FROM: Chair Robert Herkes 
House Committee on Consumer Affairs and Commerce

RE: Scheduling a CPC/JUD Hearing Outside Normally Assigned Time

I am requesting your authorization to proceed with scheduling a CPC/JUD hearing outside the assigned CPC time on Thursday, February 7, 2008 at 2:00pm in CR 325.

The assigned time slot for CPC hearings on Thursdays is 7:00 pm to 9:00 pm.

FYI: None of the CPC and JUD Committee members sit on the HED Committee.
(HED is assigned to meet on Thursday at 2:00-9:00 pm.)

Thank you for your cooperation in this matter.

Representative Robert N. Herkes, District 5

*(Mountain View, Glenwood, Volcano, Pahala, Punaluu, Ocean View, Ninole, Honuapo, Naalehu, Kahuku, Milolii, Hookena, Kealia,
Honaunau, Captain Cook, Kealakekua, portion of Kainaliu)*
Hawaii State Capitol, Room 320 / Honolulu, Hawaii 96813

Phone: (808) 586-8400 / Fax: (808) 586-8404 / E-mail: repherkes@capitol.hawaii.gov

