

Honolulu, Hawaii

APR 26 2012

RE: S.B. No. 2769  
S.D. 2  
H.D. 3  
C.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2769, S.D. 2, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Require all homeowners and motor vehicle insurers to provide, upon the Insurance Commissioner's request, insurance premium information to the Insurance Commissioner within thirty days of the request;
- (2) Require the Insurance Commissioner to publish a list of all homeowners and motor vehicle insurers with representative annual premiums for their insurance;



- (3) Authorize the Insurance Commissioner to adjust the rates for any class of insurance for any insurer if the Insurance Commissioner finds that the rates are excessive, inadequate, or unfairly discriminatory; and
- (4) Include advisory organizations in the rate filings and regulation process under article 14, chapter 431, Hawaii Revised Statutes, relating to rate regulation.

Your Committee on Conference finds that publication of premium information enables consumers to compare insurance rates. Your Committee further finds that making homeowners and motor vehicle insurance information more accessible will help Hawaii consumers make more informed decisions when purchasing insurance. Additionally, authorizing the electronic publication of this information provides the Insurance Commissioner with an alternative to address cost concerns associated with publication in a newspaper of general circulation.

This measure also protects Hawaii consumers by enhancing existing law that allows the Insurance Commissioner to require insurers to submit new rate filings when the current rates may be excessive, inadequate, or unfairly discriminatory.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the Insurance Commissioner's authority pursuant to section 431:14-103.3, Hawaii Revised Statutes, to mandate insurers to submit new filings for any type of insurance listed under section 431:14-102, Hawaii Revised Statutes;
- (2) Repealing section 431:10C-209.5, Hawaii Revised Statutes, relating to the Insurance Commissioner's authority to intervene to adjust motor vehicle insurance rates, in order to avoid conflict and overlap with the Insurance Commissioner's authority to adjust rates for any type of insurance listed under section 431:14-102, Hawaii Revised Statutes, which includes motor vehicle insurance;
- (3) Inserting an effective date of July 1, 2012; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2769, S.D. 2, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2769, S.D. 2, H.D. 3, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

  
RIDA T. R. CABANILLA, Co-Chair

  
ROSALYN H. BAKER, Chair

  
ROBERT N. HERKES, Co-Chair

  
WILL ESPERO, Co-Chair

  
DEREK S.K. KAWAKAMI, Co-Chair



Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 2769, SD 2, HD 3</b>	Date/Time: <i>9:37 Am 4-25-2012</i>
---	--

The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

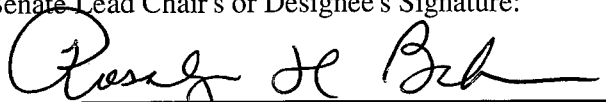
The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				CABANILLA, Rida T.R., Co-Chr.	✓			
ESPERO, Will, Co-Chr.	✓				HERKES, Robert N., Co-Chr.	✓			
GALUTERIA, Brickwood				✓	KAWAKAMI, Derek S.K., Co-Chr.	✓			
TANIGUCHI, Brian T.	✓				PINE, Kimberly Marcos				✓
SLOM, Sam				✓					
TOTAL	3	-	-	2	TOTAL	3	-	-	1

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is:  
 Adopted       Not Adopted

House Recommendation is:  
 Adopted       Not Adopted

Senate Lead Chair's or Designee's Signature:  


House Lead Chair's or Designee's Signature:  


Distribution:      Original      Yellow      Pink      Goldenrod  
 File with Conference Committee Report      House Clerk's Office      Senate Clerk's Office      Drafting Agency