

Honolulu, Hawaii

Feb 17, 2006

RE: H.B. No. 2440
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2440 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM ATHLETE AGENTS ACT,"

begs leave to report as follows:

The purpose of this bill is to protect student-athletes and educational institutions from potential harm and unethical practices of athlete agents by enacting the Uniform Athlete Agents Act developed by the National Conference of Commissioners on Uniform State Laws.

The Department of Education and Commission to Promote Uniform Legislation testified in support of this bill. The Office of Information Practices, Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division, and Regulated Industries Complaints Office provided comments.

Your Committee has amended this bill by:

- (1) Changing the categorization of applications for registration and renewals of registration from "public records" to "government records";
- (2) Replacing the provisions establishing registration and renewal fees with those giving the Director of Commerce and Consumer Affairs authority to establish fees and




expenses by rules adopted pursuant to Chapter 91, Hawaii Revised Statutes (HRS);

- (3) Changing "administrative penalties" to "civil penalties," providing fines, and making each day of violation or failure to comply a separate offense;
- (4) Adding language authorizing the Director to adopt, amend, and repeal rules to effectuate the purpose of the new chapter pursuant to Chapter 91, HRS;
- (5) Changing the effective date to July 1, 2096, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for style, clarity, and consistency.

Your Committee acknowledges the concerns raised by several testifiers regarding the exemption from sunrise analysis under section 26H-6, HRS, and request to reexamine whether the exemption is warranted. Your Committee believes these are legitimate concerns that deserve further discussion in subsequent committees.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2440, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2440, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


SYLVIA LUKE, Chair



