

STAND. COM. REP. NO.

661

Honolulu, Hawaii

MAR 01 2007

RE: S.B. No. 1016  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 1016 entitled:

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

begs leave to report as follows:

The purpose of this measure is to enact the Uniform Athlete Agents Act, which provides for regulation of sports agents through registration and required submission of background data, imposes contract terms on representation agreements to the benefit of student-athletes, and provides educational institutions a right to notice and a civil cause of action for damages if specific duties are breached.

Your Committee received testimony in support of this measure from the University of Hawai'i and the Hawaii Commission to Promote Uniform Legislation. The Department of Commerce and Consumer Affairs opposed this measure. The Department of Education supported the intent of this measure, but deferred to the Department of Commerce and Consumer Affairs.

Your Committee finds that in Hawaii, where sporting events provide such enjoyment, regulation of sports agents will benefit the entire community. Professional sports representation is a lucrative business. Misguided recruitment decisions may result in eligibility problems, and unscrupulous agents can harm educational institutions and student-athletes alike. This uniform legislation

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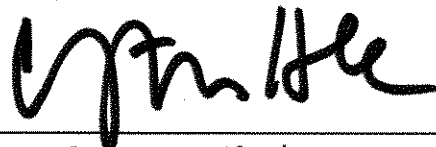
will enable various jurisdictions to obtain dependable information about agents' professional conduct in other states.

Your Committee has amended this measure by:

- (1) Modifying the phrase "the student-athlete shall inform the athletic director of the educational institution at which the student-athlete is enrolled that the student-athlete has entered into an agency contract" in subsection (b) of § -10, Notice to educational institution, by adding "or intends to enroll" after "is enrolled" for consistency with § -10(a); and
- (2) Adding to § -16, Civil penalties, a new sentence on deposit of penalties, for consistency with language in § -8, Fees and expenses, regarding deposits into the compliance resolution fund.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1016, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1016, S.D. 1.

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




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CLAYTON HEE, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1016	CPH, JDL	2/21/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
INOUE, Lorraine R.				/
NISHIHARA, Clarence K.	/			
GABBARD, Mike	/			
<b>TOTAL</b>	4			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

\*Only one measure per Record of Votes