

Honolulu, Hawaii

FEB 12 2008

RE: S.B. No. 3197
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and
Affordable Housing, to which was referred S.B. No. 3197 entitled:

"A BILL FOR AN ACT RELATING TO IMMIGRATION CONSULTANTS,"

begs leave to report as follows:

The purpose of this measure is to ensure that immigrants receive proper immigration services and consultation by prohibiting individuals without training or experience in immigration law from rendering advice to immigrants regarding their immigration issues.

Testimony in support of this measure was submitted by Catholic Charities of Hawaii and one private individual.

Your Committee finds that immigrants in Hawaii sometimes fall prey to notary publics or travel agents who assist them in their immigration matters, only to receive poor, inaccurate, or unqualified advice. Prohibiting individuals without training or experience in immigration law from rendering advice on immigration matters will provide a safeguard for immigrants who are in the immigration process.

Testimony indicates that nonprofit, religious, charitable, social service, or similar organizations recognized by the U.S. Department of Justice, Board of Immigration Appeals may apply for the accreditation of individuals of good moral character as its representatives. These accredited individuals are authorized to provide limited representation of an organization's clients before



the Department of Homeland Security's Citizenship and Immigration Service and before the Board of Immigration Appeals, which includes practice before immigration judges. These accredited individuals serve a vital need in the immigration community, especially when individuals and their families do not have sufficient funds to afford the services of an immigration attorney.

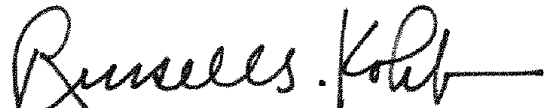
Accordingly, your Committee has amended this measure by:

- (1) Adding individuals who are accredited by the Board of Immigration Appeals as persons exempt from the prohibition; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

Your Committee believes that prohibiting individuals without training or experience in immigration law from rendering advice to immigrants regarding their immigration issues fulfills the intent of this measure, which is to ensure that immigrants receive proper immigration services and consultation.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3197, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Affordable
Housing,



RUSSELL S. KOKUBUN, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Commerce, Consumer Protection and Affordable Housing
CPH

Bill / Resolution No.:* <i>SB 3197</i>	Committee Referral: <i>CPH, JDL</i>	Date: <i>2/8/08</i>
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The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KOKUBUN, Russell S. (C)	/			
IGE, David Y. (VC)				/
ESPERO, Will	/			
IHARA, Jr., Les				/
SAKAMOTO, Norman	/			
TANIGUCHI, BRIAN T.				/
TRIMBLE, Gordon	✓			
TOTAL	<i>4</i>			<i>3</i>

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *Will Espo*

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*Only one measure per Record of Votes