

STAND. COM. REP. NO.

1745

Honolulu, Hawaii

Ag-116, 2009

RE: H.C.R. No. 161
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred H.C.R. No. 161 entitled:

"HOUSE CONCURRENT RESOLUTION ENCOURAGING THE REAL ESTATE
COMMISSION TO MODIFY AND ADOPT RULES TO REFLECT CHANGES IN
THE CONDOMINIUM LAW UNDER CHAPTER 514B, HAWAII REVISED
STATUTES,"

begs leave to report as follows:

The purpose of this concurrent resolution is to encourage the
Real Estate Commission to draft, adopt, and implement revised or
additional administrative rules under chapter 107, HAR, to reflect
changes in the condominium law under chapter 514B, HRS, by no
later than December 31, 2009.

Your committee has amended this concurrent resolution by
changing the title to read:

"REQUESTING A SUNRISE REVIEW OF REGULATING PRACTITIONERS OF
TEETH-WHITENING."

Your committee has also amended the content of this
concurrent resolution to address the intent of Senate Bill No. 51,
S.D.1, H.D.1, Regular Session of 2009, which calls for regulating
the practice of teeth-whitening. Section 26H-6, Hawaii Revised
Statutes, requires a review by the Auditor before enactment of a
measure that would subject an unregulated profession or vocation
to licensing or other regulatory control.

HCR161 HD1 HSCR CPC



H.C.R. 161 HD1 is requesting that the Auditor perform a sunrise review regarding the regulation of persons who engage in the practice of teeth-whitening.

The Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office and the Board of Dental Examiners provided comments, and a representative of the Hawaii Dental Association provided testimony in support of this concurrent resolution.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 161, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 161, H.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair

