

Honolulu, Hawaii

March 12, 2010

RE: S.B. No. 2607
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Tourism, Culture, & International Affairs,
to which was referred S.B. No. 2607, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ACTIVITY DESKS,"

begs leave to report as follows:

The purpose of this bill is to protect consumers and
providers of activities and attractions that are sold by activity
desks by:

- (1) Requiring an activity desk to maintain and make
available for inspection, books, records, and other
documents required by law;
- (2) Providing that the activity desk registration number
must be included on advertising and promotional
material;
- (3) Requiring an activity desk to obtain full payment for
activities prior to or at the time reservations are
booked or placed with the activity provider or within
three business days thereafter, with certain exceptions;
- (4) Requiring an activity desk to hold sums paid to an
activity desk for activities furnished by an activity
provider, in trust for the person making the payment and
the activity provider; and



- (5) Increasing the maximum bond or letter of credit requirement for activity desks from \$100,000 to \$250,000.

A concerned individual supported this bill. The Department of Commerce and Consumer Affairs' (DCCA) Regulated Industries Complaints Office and DCCA's Professional and Vocational Licensing Division provided comments.

Your Committee has amended this bill by:

- (1) Reinstating provisions that allow DCCA to permit the use of other types of activity desk trust account funds or accounts, upon meeting certain requirements;
- (2) Changing the effective date to January 1, 2112; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Tourism, Culture, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2607, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2607, S.D. 2, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Tourism, Culture,
& International Affairs,


JOEY MANAHAN, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 702-10

Record of Votes of the Committee on Tourism, Culture, & International Affairs

Bill/Resolution No.: SB 2607, SD2	Committee Referral: TCI	Date: Mar. 8, 2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
TCI Members	Ayes	Ayes (WR)	Nays	Excused
1. MANAHAN, Joey (C)	✓			
2. TOKIOKA, James Kunane (VC)	✓			
3. BERG, Lyla B.				✓
4. CHOY, Isaac W.	✓			
5. EVANS, Cindy	✓			
6. McKELVEY, Angus L.K.	✓			
7. TAKAI, K. Mark				✓
8. TSUJI, Clift	✓			
9. WAKAI, Glenn				✓
10. WOOLEY, Jessica	✓			
11. MARUMOTO, Barbara C.	✓			
TOTAL (11)	8			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee across _____ did not support recommendation.				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				