

STAND. COM. REP. NO. 2627

Honolulu, Hawaii

MAR -2 2012

RE: S.B. No. 2770
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2770 entitled:

"A BILL FOR AN ACT RELATING TO COLLECTION AGENCIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify and strengthen the enforcement provisions that apply to out-of-state collection agencies that are designated by the Department of Commerce and Consumer Affairs as exempt from licensure under Chapter 443B, Hawaii Revised Statutes; and
- (2) Increase fines for collection agencies governed under Chapter 443B, Hawaii Revised Statutes.

Written comments in support of this measure were submitted by the Department of Commerce and Consumer Affairs.

Your Committee finds that the number of exempt out-of-state collection agencies operating in the State has more than doubled since 2004, while the number of registered collection agencies has remained relatively stable. This measure would strengthen the ability of the Department of Commerce and Consumer Affairs to oversee the growing number of exempt out-of-state collection agencies and provide adequate safeguards for Hawaii consumers.

Your Committee has amended this measure by:

SB2770 SD1 SSCR LRB 12-1712.doc



- (1) Adding a savings clause to clarify the applicability of the measure to matters preceding its effective date;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2770, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2770, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. ICE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB 2770	Committee Referral: CPN, WAM	Date: 2-23-12		
<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
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol	✓			
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	14	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
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*Only one measure per Record of Votes