

STAND. COM. REP. NO.

1504

Honolulu, Hawaii

APR 04 2007

RE: H.B. No. 275  
H.D. 1  
S.D. 2

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  
H.B. No. 275, H.D. 1, S.D. 1, 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 (UAAA), which requires sports agents to register with  
the Department of Commerce and Consumer Affairs, and sets forth  
requirements for athlete-agent agreements.

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.

To guard against potential loss of intercollegiate  
eligibility, the UAAA requires the athlete-agent contract to  
include a conspicuous boldface warning to the student athlete  
regarding eligibility, and provides student-athletes a right to  
cancel an athlete-agent contract without penalty within fourteen  
days after signature. The UAAA requires timely notice to the  
student-athlete's educational institution after a contract is  
signed, and provides legal recourse for educational institutions  
that may be penalized, disqualified, or suspended from

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participation in an athletics association or conference as a result of improper conduct by an agent or student-athlete.

Your Committee acknowledges a divergence of views regarding the need to regulate sports agents in Hawaii. Your Committee recognizes that the Legislative Auditor's sunrise analysis, reported in Report No. 06-09 on Athlete Agents, found no evidence of abuse in Hawaii at present and recommended against regulation. Your Committee, however, favors a proactive approach rather than waiting for problems to occur. Moreover, although the Department of Commerce and Consumer Affairs proposed deletion of reciprocity provisions applicable to an individual who has applied for and holds a certificate of registration or licensure in another state, your Committee believes the UAAA as drafted enables various jurisdictions to obtain dependable information about agents' professional conduct in other states. On balance, your Committee finds that regulation of sports agents through enactment of the UAAA will help Hawaii's student-athletes and their parents make enlightened recruitment decisions.

Your Committee has amended this measure by changing its effective date from July 1, 2020 to July 1, 2007.

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 H.B. No. 275, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 275, H.D. 1, S.D. 2.

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

  
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:		
<i>HB 275 HD1, SD1</i>	<i>CPH, JDL</i>	<i>3-30-07</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span><input type="checkbox"/> Pass, unamended 2312</span> <span><input checked="" type="checkbox"/> Pass, with amendments 2311</span> <span><input type="checkbox"/> Hold 2310</span> <span><input type="checkbox"/> Recommit 2313</span> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
KOKUBUN, Russell S. (VC)				✓
INOUE, Lorraine R.				✓
NISHIHARA, Clarence K.	✓			
GABBARD, Mike	✓			
<b>TOTAL</b>	<i>3</i>			<i>2</i>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span><input checked="" type="checkbox"/> Adopted</span> <span><input type="checkbox"/> Not Adopted</span> </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">             Distribution:              Original              File with Committee Report           </div> <div style="text-align: center;">             Yellow              Clerk's Office           </div> <div style="text-align: center;">             Pink              Drafting Agency           </div> </div>				

\*Only one measure per Record of Votes