STAND. COM. REP. NO. 1492

Honolulu, Hawaii

Agr: 16, 2009

RE: S.B. No. 113 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 Committees on Consumer Protection & Commerce and Judiciary, to which was referred S.B. No. 113 entitled:

"A BILL FOR AN ACT RELATING TO DENTISTS,"

beg leave to report as follows:

The purpose of this bill is to protect dental patients by clarifying the authority of the Board of Dental Examiners (Board) to sanction licensees for false or misleading advertising.

The Hawaii Dental Association and several concerned individuals testified in support of this bill. The Board opposed this measure.

This bill seeks to ensure that dentists will not advertise themselves as specialists in areas for which the dentist has not met educational requirements. However, the Board expressed concerns that this bill may be redundant of existing statutory prohibitions against false, fraudulent, and misleading advertisements, as well as corresponding amendments being proposed for the Board's administrative rules.

Your Committees have amended this bill by changing the effective date to January 1, 2090, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that

SB113 HD1 HSCR CPC-JUD HMS 2009-3459



are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 113, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 113, H.D. 1.

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

RIKI KARAMATSU, Chair

ROBERT N. HERKES, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

10 112	ommittee Referral:	TUD Date	3/20/1	9		
☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)						
CPC Members	Ayes	Ayes (WR)	Nays	Excused		
1. HERKES, Robert N. (C)						
2. WAKAI, Glenn (VC)						
3. BELATTI, Della Au						
4. CABANILLA, Rida						
5. CARROLL, Mele				V		
6. ITO, Ken						
7. KARAMATSU, Jon Riki	V					
8. LUKE, Sylvia			Section 4.	$V_{\mathcal{I}}$		
9. McKELVEY, Angus L.K.				V		
10. MIZUNO, John M.						
11. MORITA, Hermina M.						
12. SOUKI, Joseph M.						
13. TSUJI, Clift						
14. MARUMOTO, Barbara C.						
15. THIELEN, Cynthia						
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TOTAL (15)	-	P	\emptyset	7		
The recommendation is: Adopted If joint referral, compristee acronym(s) Not Adopted did not support recommendation.						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						

State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: 3B 1/3	HLT, CPC/JU	Date	3/30/	09		
☐ The committee is reconsidering its prev		***************************************	/			
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)						
JUD Members	Ayes	Ayes (WR)	Nays	Excused		
1. KARAMATSU, Jon Riki (C)	V					
2. ITO, Ken (VC)						
3. BELATTI, Della Au				V		
4. CABANILLA, Rida						
5. CARROLL, Mele						
6. HERKES, Robert N.						
7. LUKE, Sylvia		11119 88 23				
8. McKELVEY, Angus L.K.						
9. MIZUNO, John M.		Explication and the second second				
10. MORITA, Hermina M.						
11. OSHIRO, Blake K.				$\mid V \mid$		
12. SOUKI, Joseph M.						
13. TSUJI, Clift				160		
14. WAKAI, Glenn			11.5			
15. MARUMOTO, Barbara C.						
16. THIELEN, Cynthia						
N						

TOTAL (16)	l1			5		
The recommendation is: Add	opted	pted		-		
If joint	referral,committee acrony	did not suppo	ort recommendation	on.		
Vice Chair's or designee's signature:				4		
Distribution: Original (White) – Commi	ttee Duplicate (Yellow)	– Chief Clerk's Office	Duplicate (Pink) – HMSO		