STAND. COM. REP. NO. 480 -10

Honolulu, Hawaii

Fe- 26, 2010

RE: H.B. No. 2417 H.D. 2

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

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 2417, H.D. 1, entitled:

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

beg 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) Prohibiting making a reservation with an activity provider unless full payment for the activity is received by the activity desk or is to be directly paid to the provider at the time of the activity;
- (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 bond or letter of credit requirement for activity desks from \$100,000 to \$250,000.

The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs (DCCA); Activities & Attractions Association of Hawaii; Maui Classic Charters, Inc.; Aloha Nui Loa Tours, Inc.; Valley Isle Excursions, Inc.; Sunset Studio Maui; Paradise Cruise, Ltd.; Fair Wind Cruises; and Warren & Annabelle's Magic Show testified in support of this bill. The Regulated Industries Complaints Office of DCCA offered comments.

Your Committees have amended this bill by prohibiting an activity desk from failing to obtain full payment for activities later than three business days after the time activity reservations are booked or placed with the activity provider, unless direct payment to the provider is arranged, rather than prohibiting making a reservation with an activity provider unless full payment for the activity is received by the activity desk or is to be directly paid to the provider at the time of the activity.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2417, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2417, H.D. 2.

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

JON 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

Bill/Resolution No.:	Committee Referral:	Date:	1.5	12011			
HB 2417,HD1	TCI,CPC/JUD		2/10	and			
☐ 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	VI						
4. CABANILLA, Rida							
5. CARROLL, Mele	/			V			
6. ITO, Ken							
7. KARAMATSU, Jon Riki	V,						
8. LUKE, Sylvia		WINDS SAN SHOULD BE WANTED	ES I THE SHOW THE WATER THE PARTY.				
9. McKELVEY, Angus L.K.							
10. MIZUNO, John M.	man samon para le se desenve e e e e e e e e e		and the State of Labor Vis				
11. MORITA, Hermina M.							
12. SOUKI, Joseph M.			i sover-su sizu-il	WILLIAM STREET			
13. TSUJI, Clift  14. MARUMOTO Porboro C	1						
<ul><li>14. MARUMOTO, Barbara C.</li><li>15. THIELEN, Cynthia</li></ul>			5 page 15 to 10 to 25 to 10 to	sub-supplier to			
15. THIELEN, Cynuna							
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TOTAL (15)	_ 11	9	9	4			
The recommendation is:  Adopted Not Adopted did not support recommendation.  Committee aeronym(s)							
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.:  HB 2417, HD   Committee Referral:  TCI, CPC/JUD Date:  2/18/10							
☐ The committee is reconsidering its previous decision on the measure.							
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  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)	1						
2. ITO, Ken (VC)							
3. BELATTI, Della Au	V						
4. CABANILLA, Rida							
5. CARROLL, Mele				V			
6. HERKES, Robert N.	V						
7. LUKE, Sylvia	V						
8. McKELVEY, Angus L.K.	TO THE STATE OF THE REST		es are 1580 - 22 50 110 - 0	V			
9. MIZUNO, John M.							
10. MORITA, Hermina M.				V			
11. OSHIRO, Blake K.	V						
12. SOUKI, Joseph M.		Manual Statement					
13. TSUJI, Clift			7.4.4.5.4.5.5.5.00 ·				
14. WAKAI, Glenn	V						
15. MARUMOTO, Barbara C.	1/						
16. THIELEN, Cynthia	V						
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TOTAL (16)	12			4			
The recommendation is:  Adopted  If joint referral,  Committee acronym(s)  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							