STAND. COM. REP. NO. [[]]

Honolulu, Hawaii

MAR 03 ' 2023

RE: H.B. No. 1412 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1412, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LIBRARIES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit any contract or license agreement between a publisher and library in the State from:
 - (A) Precluding, limiting, or otherwise restricting the library from performing customary operational and lending functions;
 - (B) Restricting the library from disclosing any terms of its license agreements to other libraries; and
 - (C) Requiring, coercing, or enabling a library to violate laws regarding confidentially of a patron's library records; and
- (2) Deem an offer or contract that contains the prohibited provisions as an unfair or deceptive act or practice and render the contract void and unenforceable.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from the Independent Book Publishers Association, Copyright Alliance, and Association of American Publishers. Your Committee received comments on this measure from the Hawaii State Public Library System.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1412, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Finance,

KYLE T. YAMASHITA, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 1108

Record of Votes of the Committee on Finance

Bill/Resolution No.: HB 1412 HD1		e Referral: り、ドエル	Dar	te: 2/28/23	
☐ The committee is reconsidering its pr			· I		
	ss, unamended (s, with amendment	s (HD) Hollic hearing (recomm	
FIN Members		Ayes	Ayes (WR)	Nays	Excused
1. YAMASHITA, Kyle T. (C)					
2. KITAGAWA, Lisa (VC)					
3. AIU, Micah P.K.					
4. CHUN, Cory M.			MARKET MISSING CO.	makeli darkenningan pada a sama a cantung	CONTROL OF THE PROPERTY OF THE
5. COCHRAN, Elle					
6. GARRETT, Andrew Takuya		\checkmark			
7. KAHALOA, Kirstin		V			
8. KILA, Darius K.					
9. KOBAYASHI, Bertrand					
10. LAMOSAO, Rachele F.					
11. MORIKAWA, Dee 12. NISHIMOTO, Scott Y.					
13. POEPOE, Mahina					
14. TAKENOUCHI, Jenna					
15. ALCOS III, David	760 155 174	· /			
16. WARD, Gene		./			
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TOTAL (16)		110	v		7)
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The recommendation is:	referral,	□ Not Adopted	did not supp	ort recommendation	·
Vice Chair's or designee's signature: _	Gran	Katagmo.	-		
Distribution: Original (White) – Comm	ittee Dup	olicate (Yellow) – (Chief Clerk's Office	e Duplicate (P	ink) – HMSO