

STAND. COM. REP. NO. 1418

Honolulu, Hawaii

April 2, 2009

RE: S.B. No. 574  
S.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 574, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this bill is to enhance options for resolving condominium disputes by extending the Condominium Dispute Resolution Pilot Program (Pilot Program) for another two years.

The Hawaii Independent Condominium and Cooperative Owners and Hawaii Council of Associations of Apartment Owners testified in support of this bill. A concerned individual opposed this measure. The Department of Commerce and Consumer Affairs provided comments.

The Pilot Program, set forth in sections 514A-121.5 and 514B-161, Hawaii Revised Statutes, and set to expire on June 30, 2009, was established to facilitate quick and economical resolutions of disputes between condominium owners and their association boards. There is disagreement as to whether the Pilot Program has demonstrated it should be continued. However, there are apparently ongoing efforts to find alternatives to the Pilot Program, such as "evaluative mediation." This bill maintains the availability of the Pilot Program while alternatives are being developed.

SB574 SD1 HSCR CPC HMS 2009-3192



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As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 574, S.D. 1, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ROBERT N. HERKES, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCR 1418

**Record of Votes of the Committee on Consumer Protection & Commerce**

<b>Bill/Resolution No.:</b> SB 574 ODI	<b>Committee Referral:</b> CPC	<b>Date:</b> 3/18/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>CPC Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. HERKES, Robert N. (C)				✓
2. WAKAI, Glenn (VC)	✓			
3. BELATTI, Della Au	✓			
4. CABANILLA, Rida	✓			
5. CARROLL, Mele				✓
6. ITO, Ken	✓			
7. KARAMATSU, Jon Riki	✓			
8. LUKE, Sylvia	✓			
9. McKELVEY, Angus L.K.				/
10. MIZUNO, John M.				✓
11. MORITA, Hermina M.	✓			
12. SOUKI, Joseph M.				✓
13. TSUJI, Clift	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia				✓
<b>TOTAL (15)</b>	9			6
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, <u>Barbara C. Marumoto</u> <sup>Ben</sup> did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> <u>[Signature]</u>				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				