

STAND. COM. REP. NO.

2211

Honolulu, Hawaii

FEB 12 2010

RE: S.B. No. 2137
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committees on Public Safety and Military Affairs and
Commerce and Consumer Protection, to which was referred S.B.
No. 2137 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CLUBS,"

beg leave to report as follows:

The purpose of this measure is to allow military personnel
deployed outside the State on federal active duty to cancel or
suspend health club membership at any time during the contract
term under certain conditions.

Your Committees received comments from the Office of Consumer
Protection. Written testimony presented to the Committees may be
reviewed on the Legislature's website.

Your Committees find that military personnel who are deployed
on active duty and by reason of the deployment are unable to use
the health club facilities and services, should be entitled to
cancel or suspend the health club contract.

Your Committees have amended this measure by:

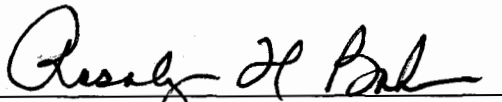
- (1) Deleting the provision that allows the health club to
retain a portion of the contract price plus a
reimbursement for expenses;
- (2) Adding a provision to require a pro rata refund to the
member;



- (3) Clarifying that proof of deployment is required to cancel or suspend the contract; and
- (4) Making technical, nonsubstantive amendments.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2137, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2137, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committees on Public Safety and
Military Affairs and Commerce
and Consumer Protection,



ROSALYN H. BAKER, Chair

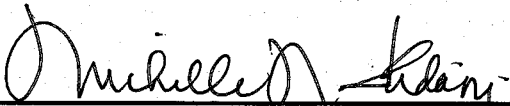


WILL ESPERO, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* SB 2137	Committee Referral: PSM/CPN, JGD	Date: 2-9-10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	<input checked="" type="checkbox"/>			
BUNDA, Robert (VC)				<input checked="" type="checkbox"/>
ENGLISH, J. Kalani	<input checked="" type="checkbox"/>			
GABBARD, Mike	<input checked="" type="checkbox"/>			
GALUTERIA, Brickwood	<input checked="" type="checkbox"/>			
KIDANI, Michelle N.	<input checked="" type="checkbox"/>			
HEMMINGS, Fred	<input checked="" type="checkbox"/>			
TOTAL	6			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 2137	Committee Referral: PSM/CPN, J90	Date: 2/10/2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les	✓			
SAKAMOTO, Norman				✓
HEMMINGS, Fred	✓			
TOTAL	6			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">David Ylge</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes