

# OAHU VETERANS COUNCIL



*"a gathering place for veterans"*  
**OAHU VETERANS CENTER**

**OAHU VETERANS COUNCIL**  
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February 16, 2010

## MEMBER ORGANIZATIONS

5th Regimental Combat Team  
45th Infantry Division Assn.  
Air Force Assn. - Chapter 138  
Air Force Sergeants Association  
American Legion Aux. Dept. of HI  
American Legion - Dept. of HI  
American Legion Post 32  
American Veterans Empowerment &  
Support Community Operations  
BPOE VAWS Hawaii Dist.  
China-Burma-India Veterans Assn.  
Chosin Few - Aloha Chapter  
Combat Infantrymen's Assn.  
Combat Veterans Motorcycle Club  
Disabled American Veterans -  
Chapter 3  
Fleet Reserve Association Branch  
And Unit 46  
Hawaii Multiple Schools Unit - Jr. ROTC  
Korean War Veterans Assn -  
Chapter 1  
Military Officers Assn. of America -  
Aloha Chapter  
Military Officers Assn. of America -  
Hawaii State Chapter  
Military Order of the Purple Heart  
Military Order of World Wars  
National Assn. for Atomic Veterans  
National Assn. of Uniformed Services  
National Sojourners - Hawaiian # 9  
National Sojourners - Honolulu # 11  
National Sojourners - Kamehameha #439  
Pearl Harbor Survivors Association  
Radiated Veterans  
Samoan Providers  
Society of Military Widows -  
Aloha Chapter  
Sons & Daughters of  
Pearl Harbor Survivors  
Special Forces Assn. - Chapter VIII  
State Office of Veterans Services  
Veterans of Foreign Wars  
Dept. of Hawaii  
Veterans of Foreign Wars Post 970  
Vietnam Veterans of America  
Chapter 858  
Waves National - Unit 131  
Women Veterans of America #26

## TESTIMONY IN FAVOR OF HOUSE BILL 1944 RELATING TO HEALTH CLUBS

### HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

HEARING WEDNESDAY, FEBRUARY 17, 2010, 2:00 PM, ROOM 325

Aloha Representatives Robert N. Herkes, Chair, Glenn Wakai, Vice Chair, and members of the Committee. My name is Fred Ballard, President Oahu Veterans Council. The Oahu Veterans Council is comprised of over 35 Oahu veteran organizations that in turn represent over 80,000 veterans and their families. The Council's legislative committee voted unanimously to communicate our complete support of House Bill 1944.

The preparation for a military deployment is often extensive and time consuming and can require training away from Hawaii for some weeks prior to the actual deployment. It would be conceivable that a military person might overlook cancelling his or her health club membership prior to departure. HB 1944 would certainly alleviate this problem and save the deployed service member some money at the same time.

The Oahu Veterans Council strongly supports the passage of House Bill 1944.

Mahalo for allowing us the opportunity to testify in support of this very important bill.

*Fred Ballard*  
Fred Ballard  
President  
Oahu Veterans Council



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**Testimony of**

**Thomas Smyth, President**

**Military Officers Association of America, Hawaii Chapter**

**Before the Committee on Consumer Protection & Commerce**

**Wednesday, February 17, 2010, 2:00pm, Room 325**

**On HB 1944 Relating to Health Clubs**

**Chair Herkes, Vice Chair Wakai and Members of the Committee:**

**Our association of 500 retired and currently serving officers of the seven Uniformed Services strongly supports HB 1944, which allows a deploying military member to cancel or suspend a health club membership.**

With the increase in unit deployments since the beginning of military operations in Iraq, Afghanistan and other places around the world, there has been a corresponding increase in the difficulty of clearing contracts and other agreements that either cannot be used or cannot easily be paid for.

The federal Servicemembers Civil Relief Act (50 U.S.C. App. § 501 *et seq.*) of 2003 (SCRA), among other things, allows for temporary suspension of transactions that may materially affect the servicemember who agreed to a contract before being notified of a deployment. It is particularly applicable to a reservist or member of the National Guard, not on active duty when executing the contract or agreement.

Unfortunately the SCRA, as currently interpreted, does not specifically cover a health club membership contract, even though it could be construed to be an "installment contract" which is covered. **Thus it is necessary to clearly include health clubs, in the cancellation or suspension provisions of Ch. 486N, HRS.**

Health club memberships are usually different than membership in social clubs, country clubs or similar entities that usually charge an initiation fee and then a periodic fee or are governed by their members. These types of clubs are not as formally regulated as are health clubs which have long term contracts.

There clearly have been problems as deploying servicemembers are being denied the ability to cancel or suspend payment and membership in health clubs. **HB 1944 will correct that problem.**

**Thank you for the opportunity to provide this testimony.**

2/17 2 pm

February 10, 2010

Rose Greco  
7508 Olowalu Place  
Honolulu, Hawai'i 96825

HB1944

**Measure Title: RELATING TO HEALTH CLUBS.**

**Report Title: Health Clubs; Cancel or Suspend Membership; Deployed Military**

**Description: Allows 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.**

**Companion: SB2137**

**Package: Military**

**Current Referral: EBM, CPC**

**Introducer(s): TAKAI, MCKELVEY**

I am writing to give my full support for this bill allowing any member of the armed forces deployed outside the State of Hawai'i to cancel or suspend his or her health club membership at any time under the conditions laid out in the proposed amendment to HRS § 486N-6 and 486N-7. Members of our armed forces often sacrifice their lives so that all of us can enjoy the freedoms granted to us under the Constitution and the Bill of Rights. This is just a small token of our gratitude to the men and women who serve honorably by allowing them to cancel or suspend their health club membership when called upon to deploy into a war zone.

Very respectfully,  
Rose Greco