

Honolulu, Hawaii

February 20, 2015

RE: H.B. No. 1000

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1000 entitled:

"A BILL FOR AN ACT RELATING TO FRANCHISES,"

begs leave to report as follows:

The purpose of this measure is to provide for efficient, cost effective, fair, and equitable resolution to franchise-related disputes by voiding any franchise provision that restricts jurisdiction or venue for the resolution of claims arising under or relating to a franchise or business dealings in Hawaii to a forum or venue outside of Hawaii.

The Chamber of Commerce Hawaii and an individual provided testimony in support of this measure. Another individual provided comments.

Your Committee has amended this measure by:

- (1) Making any franchise provision that restricts jurisdiction or venue for the resolution of claims arising under or relating to a franchise or business dealings in Hawaii to a forum or venue outside of Hawaii voidable at the option of the franchisee; and
- (2) Changing the effective date to July 1, 2112, to encourage further discussion.



Should the Committee on Judiciary deliberate this measure further, your Committee respectfully requests that it consider moving the effective date back two years, in order to give franchisees and franchisors time to adjust to the new requirements.

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 H.B. No. 1000, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.B. No. 1000, H.D. 1.

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



ANGUS L.K. MCKELVEY, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1000	Committee Referral: EDB, CPC, JUD	Date: 02/18/15
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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. McKELVEY, Angus L.K. (C)	✓			
2. WOODSON, Justin H. (VC)	✓			
3. BELATTI, Della Au	✓			
4. BROWER, Tom	✓			
5. CREAGAN, Richard P.	✓			
6. HAR, Sharon E.	✓			
7. HASHEM, Mark J.	✓			
8. KAWAKAMI, Derek S.K.				✓
9. LEE, Chris	✓			
10. NAKASHIMA, Mark M.	✓			
11. OSHIRO, Marcus R.	✓			
12. SAN BUENAVENTURA, Joy A.	✓			
13. TAKAYAMA, Gregg	✓			
14. YAMANE, Ryan I.	✓			
15. FUKUMOTO CHANG, Beth	✓			
16. MCDERMOTT, Bob	✓			
TOTAL (16)	15			1

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: _____

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