STAND. COM. REP. NO. 659

Honolulu, Hawaii March S, 2009

RE: H.B. No. 875

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 H.B. No. 875 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. Several concerned individuals 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. There are also ongoing efforts to find alternatives to the Pilot Program, such as "evaluative mediation." Supporters of this bill want the Pilot Program to continue until a viable alternative has been fully developed. Your Committee is aware of these issues and is moving this bill along for further consideration.



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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 H.B. No. 875 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

ROBERT N. HERKES, Chair



State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB & 75	Committee Referral:		Date: 2/25/09	
The committee is reconsidering its p	previous decision on the measure.			
	ass, unamended (as is) ass short form bill with HD to rec	ass, with amendments ommit for future publi		
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)				
2. WAKAI, Glenn (VC)				
3. BELATTI, Della Au				~
4. CABANILLA, Rida				$\overline{}$
5. CARROLL, Mele				
6. ITO, Ken				\sim
7. KARAMATSU, Jon Riki				/
8. LUKE, Sylvia				\sim
9. McKELVEY, Angus L.K.				
10. MIZUNO, John M.				
11. MORITA, Hermina M.				\checkmark
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia				
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	Á	h	ch	1.
TOTAL (15)		φ	φ	Q
	Adopted	did not suppo	ort recommendation	
Vice Chair's or designee's signature:	- XXX			
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