Honolulu, Hawaii

March 19, 2010

RE: S.B. No. 2137

S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Economic Revitalization, Business, & Military Affairs, to which was referred S.B. No. 2137, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to support members of the military deployed outside of the state, by allowing these individuals to cancel or suspend their health club contracts within 90 days of notice of deployment, and receive a refund of the unused balance of the amount paid for the contract.

The Chamber of Commerce of Hawaii, Oahu Veterans Council, and Military Officers Association of America, Hawaii Chapter testified in support of this bill.

Your Committee has amended this bill by including the provisions contained in H.B. No. 1944 which your Committee passed, as follows:

(1) Limiting the documentation that can be used to prove deployment to a copy of the member's official military orders or a written verification from the member's commanding officer;

- (2) Deleting the requirement for the pro rata refund of fees from the health club to the member;
- (3) Allowing a health club to retain the portion of the total contract price representing the services used plus reimbursement for the expenses incurred in an amount not to exceed 25 percent of the total contract price, if a contract is cancelled; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Revitalization, Business, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2137, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2137, S.D. 1, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Economic Revitalization, Business, & Military Affairs,

ANGUS L.K. MCKELVEY, Chair

## State of Hawaii House of Representatives The Twenty-fifth Legislature

## HSCR 832-10

## Record of Votes of the Committee on Economic Revitalization, Business, & Military Affairs

SPD 2137 SDI 459 EBH, CPC Date:				
☐ 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)				
EBM Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	~			
2. CHOY, Isaac W. (VC)				
2. CHO1, Isaac W. (VC)				
3. BERG, Lyla B.				/
4. EVANS, Cindy				
5. MANAHAN, Joey				
6. TAKAI, K. Mark		III S S III TURIO E LAS		
7. TOKIOKA, James Kunane	/			
8. TSUJI, Clift				
9. WAKAI, Glenn				
10. WOOLEY, Jessica	~			
11. WARD, Gene	V			
în w				
TOTAL (11)	1			4
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				