STAND. COM. REP. NO. 40

Honolulu, Hawaii February 15, 2013

RE: H.B. No. 24 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 24 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this measure is to encourage mediation in condominium settings by dedicating portions of the condominium education trust fund to support the mediation of condominium-related disputes.

The Hawaii Chapter of Community Associations Institute Legislative Action Committee and two individuals testified in support of this measure. The Hawaii Real Estate Commission testified in opposition of this measure. The State of Hawaii Judiciary and an individual provided comments on this measure.

Your Committee defers to the Committee on Finance regarding the necessary amounts to be appropriated from the condominium education trust fund for condominium-related mediation to effectuate the intent of this measure.

Your Committee has amended this measure by:

(1) Deleting the words "community-based and professional" from the description of mediation services;

- (2) Changing to unspecified the per unit fee amounts established to fund the mediation services;
- (3) Authorizing the establishment of additional fee amounts by rules;
- (4) Changing its effective date to July 1, 2013; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 24, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 24, H.D. 1, and be referred to the Committee on Finance.

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

ANGUS L.K. McKELVEY, Chair

State of Hawaii House of Representatives The Twenty-seventh Legislature

HSCR491

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: H13 24	Committee Referral: CPC, Fin	Date:	2/6/13	
☐ 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)	٧,			
2. KAWAKAMI, Derek S.K. (VC)				
3. BELATTI, Della Au				/
4. BROWER, Tom	/			
5. CABANILLA, Rida T.R.				V
6. CACHOLA, Romy M.				V
7. CARROLL, Mele				V
8. EVANS, Cindy				/
9. HAR, Sharon E.	_/			V
10. ITO, Ken				
11. LEE, Chris	//			
12. TSUJI, Clift	1			
13. YAMANE, Ryan I.	///			_
14. MCDERMOTT, Bob	//			
15. THIELEN, Cynthia	√			
				_
TOTAL (15)	/ [0	6	B	5
The recommendation is: Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				