STAND. COM. REP. NO. Honolulu, Hawaii , 2013

RE: H.B. No. 418 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 Judiciary, to which was referred H.B. No. 418 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM MEDIATION ACT,"

begs leave to report as follows:

The purpose of this measure is to help reduce unnecessary litigation in the State and encourage alternate means of dispute resolution by adopting the Uniform Mediation Act.

The Hawaii Association of REALTORS; Mediation Center of the Pacific, Inc.; Honolulu Board of REALTORS; Ku'ikahi Mediation Center; Mediation Services of Maui, Inc.; two of Hawaii's Uniform Law Commissioners; and several concerned individuals supported this measure. The Judiciary provided comments.

Your Committee has amended this measure by:

- Specifying that mediation as defined in the measure does not include hooponopono, ifoga, or other similar, traditional or customary dispute resolution practices;
- (2) Setting forth the definition of "international commercial mediation" rather than referencing its meaning to Article 1 of the Model Law on International Commercial Conciliation; and



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(3) Making technical, nonsubstantive amendments for clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 418, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 418, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

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KARL RHOADS, Chair

HB418 HD1 HSCR JUD HMS 2013-2483

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State of Hawaii House of Representatives The Twenty-seventh Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	D	ate:	. 1		-
HB418	JUD		2	28	13	
□ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: D Pass, unamended (as is)						
Pass short form bill with HD to recommit for future public hearing (recommit)						
JUD Members	Ayes	Ayes (WR)		Nay	rs	Excused
1. RHOADS, Karl (C)	X					
2. HAR, Sharon E. (VC)	Х X					
3. BELATTI, Della Au	×.					
4. BROWER, Tom	X					
5. CABANILLA, Rida T.R.	×					
6. CARROLL, Mele						X
7. ITO, Ken	X					1
8. KAWAKAMI, Derek S.K.	X.					
9. LEE, Chris	X					
10. TSUJI, Clift	X					
11. WOOLEY, Jessica	X					
12. MCDERMOTT, Bob	Ϋ́ Υ					
13. THIELEN, Cynthia	X					-
						-
· ·	-					
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TOTAL (13)	12					1
The recommendation is: Adopted If foint referral, committee acronym(s) did not support recommendation.						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						