

EXECUTIVE CHAMBERS

HONOLULU

July 13, 2004

GOV. MSG. NO. 751

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2773

Honorable Members
Twenty-Second Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2773, entitled "A Bill for an Act Relating to Condominium Property Regimes."

The purpose of this bill is to give authority to the board of directors of a condominium association to permit apartment owners to install antennas for amateur radios in their apartments or their limited common element without the consent of the other apartment owners.

This bill is objectionable because it amounts to an inappropriate and unacceptable governmental intrusion into the contractual affairs of the apartment owners. This measure would allow the installation of antennas in a condominium's common element, notwithstanding objections by other apartment owners. Condominiums ordinarily have governing documents, such as the condominium's declaration, bylaws, and house rules, which contain covenants, conditions, and restrictions. Purchasers of condominium apartments should be able to rely upon those governing documents when deciding whether to purchase an apartment. They should not have to worry about subsequent legislative bills that trump the governing documents by permitting certain people to erect antennas within the common elements.

For the foregoing reasons, I am returning House Bill

No. 2773 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE
Governor of Hawaii