

STAND. COM. REP. NO. 2138

Honolulu, Hawaii

May 1, 2007

RE: S.C.R. No. 160
S.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Legislative Management, to which was referred S.C.R. No. 160, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF THE REGULATION OF ENTITIES GOVERNED BY CHAPTER 514A OR 514B, HAWAII REVISED STATUTES, AND THE ENFORCEMENT OF POLICIES RELATING TO CONDOMINIUMS IN THE STATE THROUGH THE CREATION OF A CONDOMINIUM COMMISSION,"

begs leave to report as follows:

The purpose of this concurrent resolution is to request the Auditor to perform a sunrise review of the regulation of entities governed by chapters 514A and 514B, Hawaii Revised Statutes, relating to condominiums, for the purpose of creating a condominium commission.

The Hawaii Independent Condominium and Cooperative Owners, Hawaii Council of Associations of Apartment Owners, and several concerned individuals provided testimonies of support of this measure. The Real Estate Commission offered comments.

Although, the enforcement of the laws, rules, and policies governing the rights and responsibilities of persons owning and residing in condominiums is the responsibility of the Real Estate Commission, persons owning and residing in condominiums should have a governing body that is exclusively responsible for the governance of condominium laws, rules, and policies.

Section 26H-6, Hawaii Revised Statutes, requires that "[n]ew regulatory measures being considered for enactment that, if enacted, would subject unregulated professions and vocations to licensing or other regulatory controls shall be referred to the auditor for analysis" prior to the adoption of the new regulatory measures. Accordingly, this concurrent resolution requests that the Auditor undertake the required analysis.

As affirmed by the record of votes of the members of your Committee on Legislative Management that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 160, S.D. 1, and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Legislative
Management,


MICHAEL Y. MAGAOAY, Chair

Bill/Resolution No.: SCR 160 SDI	Date: 4-26-07			
Committee Referral: LMG	<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.			
The recommendation is to: <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold </div> <div> <input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration </div> </div>				
LMG Members	Ayes	Ayes (WR)	Nays	Excused
1. MAGAOAY, Michael Y. (C)	/			
2. TOKIOKA, James Kunane (VC)	/			
3. KARAMATSU, Jon Riki	/			
4. OSHIRO, Blake K.				/
5. FINNEGAN, Lynn	/			
TOTAL	4			1
The recommendation is: <div style="display: flex; align-items: center;"> <input checked="" type="checkbox"/> Adopted <div style="margin-left: 20px;"> <input type="checkbox"/> Not Adopted </div> </div> <p style="margin-top: 10px;">If joint referral, _____ did not support recommendation. committee acronym(s)</p>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				