

Honolulu, Hawaii

APR 30 2009 , 2009

RE: S.B. No. 1107
S.D. 2
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1107, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to provide transparency, accountability, and efficiency in the Real Estate Commission's condominium education programs by merging the Condominium Management Education Fund into the Condominium Education Trust Fund.

Your Committee finds that this measure is intended to promote transparency for and accountability to the individual condominium owners who pay into the Condominium Education Trust Fund through payment of association fees. Accordingly, your Committee notes that the provision in section 514B-73(d)(1), Hawaii Revised Statutes, which requires a statement reflecting which educational programs were directed specifically at the education of condominium owners,



is intended to ensure that education programs that benefit individual condominium owners, and not just condominium boards, are provided. This reporting requirement will help ensure that individual condominium owners receive education regarding their rights and responsibilities under condominium property regimes.

Your Committee has amended this measure by:

- (1) Clarifying that all payments that have previously been deposited into the Condominium Management Education Fund pursuant to sections 514A-40(c), 514A-131, 514A-132, and 514A-133, Hawaii Revised Statutes, shall be deposited into the Condominium Education Trust Fund as provided in sections 514B-71, 514B-72, and 514B-73, Hawaii Revised Statutes;
- (2) Specifying that the report to the Legislature required under section 514B-73(d), Hawaii Revised Statutes, shall include a statement of which educational programs were directed toward the education of condominium owners and a line item reflecting the total amount collected from condominium associations; and
- (3) Making technical, nonsubstantive amendments for the purpose of style.

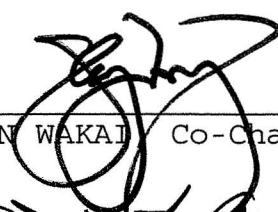
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1107, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1107, S.D. 2, H.D. 2, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE


ON THE PART OF THE SENATE




GLENN WAKAI Co-Chair



ROSALYN H. BAKER, Chair



GILBERT KEITH-AGARAN, Co-Chair



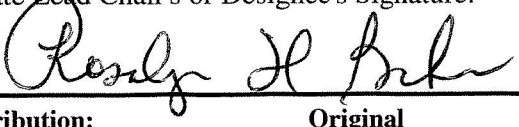
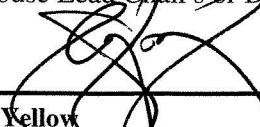
SHAN S. TSUTSUI, Co-Chair



Hawaii State Legislature

Record of Votes of a
Conference Committee

CCR 77

Bill / Concurrent Resolution No.: SB 1107, SD 2, HD 2					Date/Time: 1:32 4-29-09				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				WAKAI, Glenn, Co-Chr.	✓			
TSUTSUI, Shan S., Co-Chr.	✓				KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓			
ESPERO, Will				✓	MARUMOTO, Barbara C.				✓
HEMMINGS, Fred	✓								
TOTAL	3	-	-	1	TOTAL	2	-	-	1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
Distribution: Original					Yellow				
File with Conference Committee Report					House Clerk's Office				
					Pink				
					Senate Clerk's Office				
					Goldenrod				
					Drafting Agency				