STAND. COM. REP. NO. 552

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 1308 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1308, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HOMEOWNERS ASSOCIATIONS," begs leave to report as follows:

The purpose of this measure is to address concerns over general regulatory oversight of homeowners associations by requiring the Auditor to conduct a study, including a cost analysis, on the necessity and feasibility of establishing an agency within the Department of Commerce and Consumer Affairs (DCCA) to provide this oversight.

Several concerned individuals testified in support of this measure. Associa and one concerned individual provided comments.

Your Committee notes that funds were not provided for the Auditor to conduct the proposed study. While your Committee finds that this study is necessary, it has concerns that Condominium Education Trust Fund money may be used to conduct the study. As the money paid into the Fund was collected from condominium unit owners, your Committee finds that use of these funds to conduct this study may be inappropriate and that a general fund appropriation for conducting the study should be made instead.

Your Committee has amended this measure by:

- (1) Inserting a general fund appropriation in an unspecified amount for the Auditor to conduct the study; and
- (2) 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. 1308, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1308, H.D. 2.

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-ninth Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: Committee HB 1308 HD 1 H56	e Referral:	PIN Date	2/15	/17
☐ 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)				
2. ICHIYAMA, Linda (VC)	1			
3. AQUINO, Henry J.C.				\mathbf{Y}
4. ITO, Ken	/			
5. SAY, Calvin K.Y.	7			
6. TAKAYAMA, Gregg	✓ /			
7. TODD, Chris	/			
8. YAMANE, Ryan I.	V	Maria 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 -	A. Lee - di e	
9. FUKUMOTO, Beth				

TOTAL (9)	8	0	0	\
The recommendation is: ☑ Adopted ☐ Not Adopted				
If joint referral, did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				