STAND. COM. REP. NO. **3227** 

Honolulu, Hawaii

MAR 2 7 2018

RE: S.C.R. No. 56 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred S.C.R. No. 56 entitled:

"SENATE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT SUPPLEMENTAL RULES PURSUANT TO SECTION 514B-6, HAWAII REVISED STATUTES, TO ENSURE THE CONFORMANCE OF CONDOMINIUM PROPERTY REGIMES TO THE PURPOSES AND PROVISIONS OF COUNTY ZONING AND DEVELOPMENT ORDINANCES,"

begs leave to report as follows:

The purpose and intent of this measure is to urge each of the county councils to adopt supplemental rules pursuant to section 514B-6, Hawaii Revised Statutes, to ensure the conformance of condominium property regimes to the purposes and provisions of county zoning and development ordinances and chapter 205, Hawaii Revised Statutes, including section 205-4.6, Hawaii Revised Statutes, where applicable.

Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that expanded development of agricultural lands through the existing condominium property regime process inhibits a county's ability to plan, regulate, and enforce its agricultural plans, goals, and infrastructure services. Your Committee also finds that section 205-4.5(f), Hawaii Revised Statutes, specifically allows agricultural land

developers to bypass county subdivision requirements under certain conditions, which can promote the condominium property regime process over the county subdivision process. Your Committee further finds that the counties should adopt supplemental rules to ensure the conformance of condominium property regimes to the purposes and provisions of county zoning and development ordinances.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 56, as amended herein, and recommends that it be referred to your Committee on Commerce, Consumer Protection, and Health, in the form attached hereto as S.C.R. No. 56, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Public Safety, Intergovernmental, and Military Affairs,

CLARENCE K. NISHIHARA, Chair

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## The Senate Twenty-Ninth Legislature State of Hawaiʻi

## Record of Votes Committee on Public Safety, Intergovernmental, and Military Affairs PSM

Bill / Resolution No.:*	Committee Referral:		Dat	Date:	
SCR56	PSM,	CPH		3-20-	298
The Committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)					
WAKAI, Glenn (VC)					
BAKER, Rosalyn H.		/			
IHARA, Jr., Les		<b>V</b>			
THIELEN, Laura H.					
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TOTAL		4			(
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:  Ronl H Ball					
Distribution:         Original         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy					

\*Only one measure per Record of Votes