

Honolulu, Hawaii

MAR 27 2018

RE: S.R. No. 27
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.R. No. 27 entitled:

"SENATE 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 testimony in opposition to this
measure from the Hawaii Cattlemen's Council, Inc. 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.R. No. 27, 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.R. No. 27, S.D. 1.

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



CLARENCE K. NISHIHARA, Chair

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

*Only one measure per Record of Votes