

STAND. COM. REP. NO. 1317-06

Honolulu, Hawaii

April 3, 2006

RE: H.C.R. No. 148
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.C.R. No. 148 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU STUDY THE CONSTITUTIONALITY, LEGALITY, AND EFFECTIVENESS OF RENT CONTROL IN JURISDICTIONS WHERE RENT CONTROL HAS BEEN ESTABLISHED,"

begs leave to report as follows:

The purpose of this concurrent resolution is to explore solutions to Hawaii's affordable housing crisis by requesting the Legislative Reference Bureau (LRB) to study the constitutionality, legality, and effectiveness of rent control in jurisdictions where rent control has been established.

Several concerned individuals testified in support of this bill. The Hawaii Association of Realtors opposed this measure. LRB and a concerned individual offered comments.

Your Committee finds that section 46-1.5(20), Hawaii Revised Statutes, already authorizes the counties to enact rent control by ordinance, and that it is unnecessary to study the constitutionality and legality of rent control. The individual counties, having different housing needs, are encouraged to consider implementing rent control to ease the burden of Hawaii's increasing housing costs.

HCR148 HD1 HSCR HSG HMS 2006-3108



Accordingly, your Committee has amended this concurrent resolution by:

- (1) Changing its title to read: "REQUESTING THE COUNTIES TO STUDY AND TO CONSIDER IMPLEMENTING RENT CONTROL ORDINANCES AUTHORIZED UNDER STATE LAW";
- (2) Replacing the request that LRB conduct the study with a request to each of the counties to study and consider implementing rent control;
- (3) Requesting the Attorney General (AG) to:
 - (a) Provide an opinion to the counties with regard to the implementation of rent control; and
 - (b) Consider methods to improve enforcement and compliance with the Landlord Tenant Code and to strengthen sanctions against violators;
- (4) Referencing the state law authorizing counties to implement rent control;
- (5) Deleting the acting Director of LRB and adding the AG and county mayors as transmitters of the concurrent resolution; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 148, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.C.R. No. 148, H.D. 1.



Respectfully submitted on
behalf of the members of the
Committee on Housing,

Michael P. Kahikina
MICHAEL P. KAHIKINA, Chair



