

STAND. COM. REP. NO.

1799

Honolulu, Hawaii

APR 13 2007

RE: S.C.R. No. 160
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred
S.C.R. No. 160, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF
THE REGULATION OF ENTITIES GOVERNED BY CHAPTER 514A OR 514B,
HAWAII REVISED STATUTES, AND THE ENFORCEMENT OF POLICIES
RELATING TO CONDOMINIUMS IN THE STATE THROUGH THE CREATION OF
A CONDOMINIUM COMMISSION,"

begs leave to report as follows:

The purpose of this measure is to request that the Auditor
perform a sunrise review of the regulation of entities governed by
chapters 514A and 514B, Hawaii Revised Statutes, relating to
condominiums, for the purpose of creating a condominium
commission.

Your Committee received comments in support of this measure
from the Hawaii Independent Condominium and Cooperative Owners.

Your Committee finds that approximately twenty per cent of
the population of the State resides in condominiums. The
enforcement of the laws, rules, and policies governing the rights
and responsibilities of persons owning and residing in
condominiums is the responsibility of the Real Estate Commission;
however, the commission's historic primary concern and
preoccupation has been with the licensing and regulation of
realtors.

SCR160 SD1 SSCR LRB 07-4146.doc



Your Committee believes that persons owning and residing in condominiums should have a governing body that is exclusively responsible for the governance of condominium laws, rules, and policies. However, section 26H-6, Hawaii Revised Statutes, requires that "[n]ew regulatory measures being considered for enactment that, if enacted, would subject unregulated professions and vocations to licensing or other regulatory controls shall be referred to the auditor for analysis" prior to the adoption of the new regulatory measures. Accordingly, this Concurrent Resolution requests that the Auditor undertake the required analysis.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 160, S.D. 1, and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




ROSALYN H. BAKER, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 160 SD 1	CPH, WAM	4/11/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani				/
FUKUNAGA, Carol	/			
HOOSER, Gary L.	/			
KIM, Donna Mercado				/
MENOR, Ron				/
TOKUDA, Jill N.				/
HEMMINGS, Fred	/			
WHALEN, Paul				/
TOTAL	6	0	0	5
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

*Only one measure per Record of Votes