

STAND. COM. REP. NO.

1803

Honolulu, Hawaii

AJOS

, 2007

RE: S.B. No. 1704

S.D. 1

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which
was referred S.B. No. 1704, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this bill is to amend Chapter 514A, Hawaii
Revised Statutes (HRS), by reenacting parts I, V, and VII, of
chapter 514A that were previously repealed by Act 164, Session
Laws of Hawaii 2004.

Your Committee received testimony in support of this measure
from the Hawaii Council of Associations of Apartment Owners,
Hawaii Independent Condominium & Cooperative Owners, Community
Associations Institute, Hawaii Chapter, and the Hawaii Association
of Realtors. The Department of Taxation and the Real Estate
Commission's Condominium Review Committee submitted comments.

Your Committee finds that Act 213, Session Laws Hawaii 2000,
and Act 131, Session Laws Hawaii 2003, required the Real Estate
Commission to review Chapter 514A, make findings and
recommendations for the recodification of that chapter, and submit
legislation consistent with its review to the Legislature. The
recodified condominium law was submitted and subsequently enacted
as Act 164, Session Laws of Hawaii 2004, Act 93, Session Laws of
Hawaii 2005, and Act 273, Session Laws of Hawaii 2006, as Chapter
514B, HRS. However, parts I, V and VII of Chapter 514A were

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inadvertently repealed during the process. This has made it more difficult for members of associations of apartment owners, boards, and others in the condominium business created prior to July 1, 2006, to understand and discern exactly what laws and rights are applicable to them.

Your Committee has amended this measure by deleting its contents and inserting in its place the substance of H.B. No. 1627, H.D. 1. The practical effect of this amendment is to:

- (1) Delete the amendments being made to sections 514A-14.5(c) and 514A-108(a), Hawaii Revised Statutes; and
- (2) Make a number of technical nonsubstantive changes in terms of style, formatting, and font.

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 S.B. No. 1704, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1704, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,

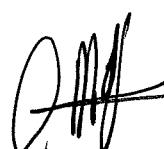


ROBERT N. HERKES, Chair



HS CP 1803

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 1704 SD1		Date: April 2, 2007		
Committee Referral: CPC		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	X			
2. McKELVEY, Angus L.K. (VC)	X			
3. CALDWELL, Kirk	X			
4. EVANS, Cindy	X			
5. GREEN, Josh, M.D.	Y			
6. ITO, Ken	X			
7. LUKE, Sylvia	X			
8. MORITA, Hermina M.	X			
9. SONSON, Alex M.	X			
10. SOUKI, Joseph M.	X			
11. TSUJI, Clift	X			
12. YAMANE, Ryan I.	X			
13. YAMASHITA, Kyle T.	X			
14. MARUMOTO, Barbara C.	Y			
15. THIELEN, Cynthia				X
TOTAL	14			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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) – HMSO Duplicate (Pink) – Clerk's Office				