STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 1 3 2009

RE: S.B. No. 663 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Madam:

Your Committee on Education and Housing, to which was referred S.B. No. 663 entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS,"

begs leave to report as follows:

The purpose of this measure is to amend the definition of "familial status" to specify that a non-parent individual cohabiting with any minor children must have evidence of legitimate consent of the child's parent to qualify for "familial status" under the state real property transaction laws.

The measure replaces the term "domiciled" with "cohabiting" and the phrase "has written or unwritten permission" with "possesses evidence of legitimate permission". The measure also defines the phrase "possesses evidence of legitimate permission" as "consent that is genuine and authentic, and not fabricated for purposes of subverting the law".

Testimony in support of this measure was submitted by one private business and one individual. Two organizations submitted testimony in opposition. One state agency submitted comments.

Your Committee finds that, while the intent of this measure is to provide for greater certainty regarding the familial status of a child, the proposed language raised a number of concerns by those testifying.



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Your Committee has amended this measure accordingly, by restoring the current definition and deleting only the phrase "or unwritten".

As affirmed by the record of votes of the members of your Committee on Education and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 663, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 663, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

> Respectfully submitted on behalf of the members of the Committee on Education and Housing,

NORMAN SAKAMOTO, Cha



The Senate Twenty-Fifth Legislature State of Hawaii

Record of Votes Committee on Education and Housing EDH

Bill / Resolution No.:* Committee Referral: Date:				
SB 663 EDH	, CPN		2-9-	09
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
SAKAMOTO, Norman (C)				
KIDANI, Michelle N. (VC)	V			
CHUN OAKLAND, Suzanne	\checkmark			
GALUTERIA, Brickwood	1			
TSUTSUI, Shan S.	\checkmark	New York York York Hill Million		
HEMMINGS, Fred	\checkmark			
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TOTAL		O	0	0
Recommendation:				
Chair's or Designee's Signature: Auchille A. Kilen.				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				
*Only one measure per Becord of Votes				