

STAND. COM. REP. NO.

1361

Honolulu, Hawaii

APR 16 2009

RE: S.C.R. No. 96
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 Commerce and Consumer Protection, to which was referred S.C.R. No. 96 entitled:

"SENATE CONCURRENT RESOLUTION URGING THE REAL ESTATE COMMISSION TO ALLOW DEVELOPERS AND ATTORNEYS TO SUBMIT CONDOMINIUM REGISTRATION FILINGS IN ELECTRONIC FORMAT,"

begs leave to report as follows:

The purpose of this measure is to encourage the Real Estate Commission to allow developers and attorneys to submit condominium registration filings in electronic format.

Your Committee received testimony in support of this measure from the Real Property and Financial Services Section of the Hawaii State Bar Association, Case Lombardi & Pettit, and four private citizens. Testimony in opposition to this measure was received from the Real Estate Commission. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Following hearing and discussion on this measure, your Committee is even more convinced of its necessity. Your Committee finds that the Condominium Education Trust Fund, the primary source of funding for the implementation of this measure, contains a more than adequate surplus to purchase and utilize any new technology that may be necessary. Your Committee further finds that electronic filing is a necessity in the current business environment and it is unreasonable of the Real Estate Commission to continue to delay the implementation of an electronic filing

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process. Your Committee finds that the perceived barriers to instituting electronic filing are easily surmountable with common and widely-available consumer hardware and software solutions.

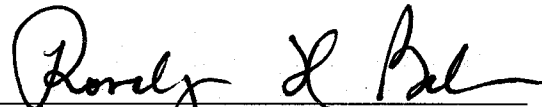
Your Committee notes that under section 467-4, Hawaii Revised Statutes, the Real Estate Commission is required to annually report to the Governor and the Legislature "relevant information" including a summary of programs. However, your Committee finds that the implementation of electronic filing merits a separate and more detailed report.

Your Committee has amended this measure by:

- (1) Requesting that the Real Estate Commission adopt a strategic plan to implement electronic filing; and
- (2) Requesting that the Real Estate Commission report its strategic plan and a status report on the plan's implementation to the Legislature.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 96, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 96, S.D. 1.

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



ROSALYN H. BAKER, Chair



