STAND. COM. REP. NO. 469 -10

Honolulu, Hawaii **FeG 26**, 2010 RE: H.B. No. 2284

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2284 entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY,"

begs leave to report as follows:

The purpose of this bill is to continue temporary relief to small business lessees during the current economic recession. Act 189, Session Laws of Hawaii 2009, clarified burdensome or vague renegotiation provisions in commercial or industrial leases as they relate to the determination of "fair and reasonable" annual rent, without substantial reduction in the lessor's economic or ownership benefits. Specifically, this bill extends the sunset date of Act 189 from June 30, 2010, to June 30, 2015.

Citizens for Fair Valuation, Servco Pacific Inc., and numerous concerned individuals testified in support of this bill. The Land Use Research Foundation of Hawaii, HRPT Properties Trust, and Hawaii Association of REALTORS opposed this measure.

Your Committee has amended this bill by:

- (1) Extending the sunset date of Act 189 to June 30, 2011; and
- (2) Changing the effective date to December 21, 2058, to encourage further discussion.



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As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2284, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2284, H.D. 1.

HB2284 HD1 HSCR JUD HMS 2010-1983

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

State of Hawaii House of Representatives The Twenty-fifth Legislature

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MJCR 469-10

Record of Votes of the Committee on Judiciary

	e Referral:	Dat	2/11/10	
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				
2. ITO, Ken (VC)				
3. BELATTI, Della Au		\checkmark		
4. CABANILLA, Rida				
5. CARROLL, Mele				\mathbf{V}
6. HERKES, Robert N.			V	
7. LUKE, Sylvia			V	
8. McKELVEY, Angus L.K.				
9. MIZUNO, John M.	\sim			
10. MORITA, Hermina M.	-			
11. OSHIRO, Blake K.	\checkmark			
12. SOUKI, Joseph M.				
13. TSUJI. Clift				
14. WAKAI, Glenn				
15. MARUMOTO, Barbara C.	<i>.</i>			
16. THIELEN, Cynthia				
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TOTAL (16)	1(1	3	<u> </u>
The recommendation is: Adopted Image: Not Adopted did not support recommendation. If joint referral,				
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO				