Honolulu, Hawaii

April 4 , 2014

RE: S.B. No. 2078

S.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2078, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this measure is to clarify that private agreements contained in condominium documents for condominiums governed under either chapter 514A or 514B, Hawaii Revised Statutes, may not restrict agricultural uses and activities on agricultural lands.

Furthermore, for condominiums governed under chapter 514B, Hawaii Revised Statutes, this measure requires condominium documents for projects in an agricultural district to state that the documents or projects contain no private restrictions limiting or prohibiting agricultural uses or activities.

Your Committee received testimony in support of this measure from the Real Estate Commission and the Department of Agriculture. Testimony in opposition to the measure was received from one individual. Written comments on the measure were received from the Hawaii Farm Bureau Federation.

Your Committee finds that this measure promotes meaningful agricultural production on land where condominium properties may also be located.

SB2078 SD1 HSCR LRB 14-2127.doc

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. 2078, S.D. 1, and recommends that it pass Third Reading.

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

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ANGUS L.K. McKELVEY, Chair

## State of Hawaii House of Representatives HSCR 1581-14 The Twenty-seventh Legislature

## Record of Votes of the Committee on Consumer Protection and Commerce

Bill/Resolution No.:	Committee Referral:			Date:		
5B 2678SD1	AGR, WAL, CPC			3/24/14		
☐ 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)						
CPC Members		Ayes	Ayes (WI	R) N	ays	Excused
1. McKELVEY, Angus L.K. (C)	17 18 1				1144	
2. KAWAKAMI, Derek S.K. (VC)						**************************************
3. BELATTI, Della Au					MA	
4. BROWER, Tom				S = 3 × 51 × 12 × 13 × 13 × 13 × 13 × 13 × 13 × 1		
5. CACHOLA, Romy M. 6. CREAGAN, Richard					WATE	
7. EVANS, Cindy						
8. HAR, Sharon E.		540 H				
9. ITO, Ken	3411		11 1 1 1 1			
10. LEE, Chris						4 9 00 2 10 00 00 00 00 00 00 00 00 00 00 00 00
11. NAKASHIMA, Mark M.						
12. OSHIRO, Marcus R.			la contraction of the contractio	F 40 C		The large and th
13. TSUJI, Clift 14. YAMANE, Ryan I.					i Par II	
15. MCDERMOTT, Bob						
16. THIELEN, Cynthia					1.5	
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TOTAL (16)		13				3
The recommendation is:  Adopted 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) – Chief Clerk's Office Duplicate (Pink) – HMSO						