

STAND. COM. REP. NO. **2506**

Honolulu, Hawaii

FEB 27 2014

RE: S.B. No. 2078
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

You're Committee on Commerce and Consumer Protection, 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 and intent of this measure is to clarify that condominium property regimes located on agricultural lands shall not place any restrictions on agricultural uses or activities permitted on those lands pursuant to chapter 205, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Real Estate Commission, and Hawaii Association of REALTORS.

Your Committee finds that the Department of Agriculture has received complaints from occupants of condominium property regimes whose agricultural uses and activities are being restricted by private agreements contained in the condominium declaration, maps, bylaws, or other documents. For example, some regimes are restricting the types of crops planted by its occupants, or the days and times when farming equipment may be used by its occupants.

Your Committee further finds that this measure enables an owner to farm on the owner's property, if located on agricultural lands, by clarifying that all agricultural uses and activities permitted by law shall be permitted on agricultural lands occupied

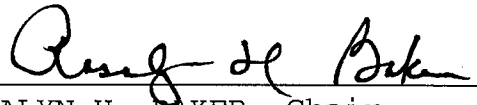
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by a condominium property regime. This measure also enables a potential purchaser to be better informed by requiring a condominium developer to disclose in the developer's public report that there are no restrictions or prohibitions disallowing agricultural uses and activities permitted by law.

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 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 Commerce and
Consumer Protection,

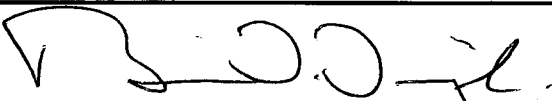


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2078, SD1	AGL, CPN	2/21/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
NISHIHARA, Clarence K.	✓			
WAKAI, Glenn				✓
SLOM, Sam	✓			
TOTAL	4	0	0	✓
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes