STAND. COM. REP. NO. 2106

Honolulu, Hawaii

FEB 0 6 2008

RE: S.B. No. 2401 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

## Madam:

Your Committee on Commerce, Consumer Protection, and Affordable Housing, to which was referred S.B. No. 2401 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE,"

begs leave to report as follows:

The purpose of this measure is to amend various provisions of the Hawaii Revised Statutes relating to condominiums to reflect the existence of two different chapters relating to condominiums.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau.

Act 164, Session Laws of Hawaii 2004, repealed portions of chapter 514A, Hawaii Revised Statutes, relating to condominium property regimes, and enacted a new condominium law, codified as chapter 514B, Hawaii Revised Statutes. Act 164 also substituted chapter 514B in place of 514A in a number of cross-references. Act 244, Session Laws of Hawaii 2007, reinstated the portions of chapter 514A that were repealed in the 2004 legislation, resulting in two operative chapters relating to condominiums, but did not, among other things, reinstate chapter 514A in the cross-references from which it had been deleted.

Your Committee finds that all of the statutory amendments proposed by the measure are of a technical housekeeping nature and

SB2401 SD1 SSCR LRB 08-1507.doc



are done simply to correct the types of errors noted in the title of this bill.

Your Committee has amended this bill by:

- (1) Making the amendments to section 26-9(o) in section 3(2) of this bill (relating to the section 514A-131 fund) retroactive to July 1, 2006, so as not to jeopardize the administration of the fund in question;
- (2) Rephrasing the term "association of apartment owners or unit owners' association" to read "association of owners under chapter 514A or 514B"; and
- (3) Making technical nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2401, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2401, S.D. 1, and be placed on the calendar for Third Reading.

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

RUSSELL S. KOKUBUN, Chair

## The Senate Twenty-Fourth Legislature State of Hawaii

## Record of Votes Committee on Commerce, Consumer Protection and Affordable Housing CPH

Bill / Resolution No.:*	Committee Referral:		Da	Date:	
SB 2401	<u>Op</u> r			92/01	/08
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
KOKUBUN, Russell S. (C)		✓.			
IGE, David Y. (VC)	70.00	<b>V</b>			
ESPERO, Will		✓			
IHARA, Jr., Les					<b>V</b>
SAKAMOTO, Norman		1.			
TANIGUCHI, BRIAN T.		1/			
TRIMBLE, Gordon		<u> </u>			
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TOTAL		6			
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes