

STAND. COM. REP. NO.

496

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 1483  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1483 entitled:

"A BILL FOR AN ACT RELATING TO HAWAII REVISED STATUTES SECTION 514B-153(e),"

begs leave to report as follows:

The purpose and intent of this measure is to allow the association of a condominium that contains time share units to substitute the name and address of the time share association for the names and addresses of individual time share owners in the records that the condominium association is required to maintain.

Your Committee received testimony in support of this measure from the Hawaii Council of Associations of Apartment Owners; the Hawaii Chapter of the Community Associations Institute; Consolidated Resorts Management, LLC; Trading Places International; Aston Hotels and Resorts; Management Information Consultants; and two private individuals. Your Committee received testimony in opposition to this measure from UNITE HERE, Local 5.

Your Committee finds that excluding the names and addresses of individual fractional owners in time share properties from the lists of owners required to be maintained by a condominium association codifies the current practice by most condominium associations. Your Committee further finds that allowing the listing of a time share association in place of the individual fractional owners is sufficient to ensure that individual time share owners receive any important communications from the

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condominium association, since the time share association is able to pass on communications received from the condominium association.

Your Committee acknowledges that the testimony received in opposition to this measure raised some important points regarding the rights of time share owners in relation to developers or owners of condominium projects. However, your Committee notes that this measure does not involve those matters nor does it amend the laws governing time shares. Rather, it merely clarifies a statute governing required records of condominium associations.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 1483, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1483, S.D. 1, and be placed on the calendar for Third Reading.

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

  
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ROSALYN H. BAKER, Chair

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1483	CPN	2-23-11		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" 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)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam				✓
<b>TOTAL</b>	6	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes