

Honolulu, Hawaii

APRIL 27, 2006

RE: S.B. No. 2193
S.D. 1
H.D. 1
C.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2193, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to increase planned community association member access to certain association documents.

Your Committee has amended this measure by:

- (1) Deleting the proposed new sections relating to: (a) Member's information requests and written notification of costs; (b) Annual audits of planned community associations' financial accounts; and (c) Authority for the Director of Commerce and Consumer Affairs to conduct a study, receive complaints, and conduct hearings on controversies between members and associations;



- (2) Providing that meetings of the board of directors of planned community associations, except executive session meetings, shall be open to all members for the purpose of members providing input on the matters being discussed;
- (3) Deleting the requirement that minutes of the meetings of the board of directors of planned community associations shall include the recorded vote of each board member on all motions;
- (4) Deleting the provisions prohibiting board members with a conflict of interest from voting;
- (5) Deleting the requirement that association documents be made available at a location within the planned community;
- (6) Requiring that the minutes of board meetings be transmitted within a "reasonable period of time" after receipt of a request for those minutes, rather than fifteen days;
- (7) Deleting the requirement that the board of directors notify a member in writing of the intent to charge fees and the amount of fees;
- (8) Making technical, nonsubstantive amendments for clarity and style; and
- (9) Changing the effective date from "July 1, 2050" to "July 1, 2006."

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2193, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2193, S.D. 1, H.D. 1, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ROBERT N. HERKES, Chair



RON MENOR, Chair



