

STAND. COM. REP. NO. 729-10

Honolulu, Hawaii

March 12, 2010

RE: S.B. No. 2222
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 2222, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to update proxy laws for planned community associations by conforming current provisions to comparable provisions regulating condominium association proxies.

A concerned individual supported this bill. Several concerned individuals supported this bill with amendments. The Mililani Town Association and Princeville at Hanalei Community Association opposed this measure.

Your Committee has amended this bill by:

- (1) Deleting the provision allowing an authorized standard proxy form to include an option whereby the owner may grant a proxy to an association board as a whole so that the vote is to be made on the basis of the preference of the majority of the directors present at the meeting;
- (2) Changing the option on an authorized standard proxy form whereby the owner may grant proxy to those directors present at the meeting so that the vote is shared

SB2222 HD1 HSCR HSG HMS 2010-2602



equally among the directors, to state that the vote will be shared equally among the candidates;

- (3) Stating that a parliamentarian shall not be required to be present at association and board of directors meetings; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2222, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2222, S.D. 1, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Housing,



RIDA CABANILLA, Chair



