

STAND. COM. REP. NO.

2387

Honolulu, Hawaii

FEB 26 2010

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

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2222 entitled:

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

begs leave to report as follows:

The purpose of this measure is to update the proxy requirements for planned community associations.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians and one private citizen. Testimony in opposition to this measure was received from the Princeville at Hanalei Community Association. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure will create consistency between the proxy rules governing planned community associations and those governing condominium associations. Your Committee further finds that this measure will provide more flexibility for owners in planned community associations to communicate with each other in advance of association meetings and to assert their opinions at association meetings. Finally, your Committee respectfully requests that the Real Estate Commission assist in the implementation of this measure by publicizing the new proxy rules on its website.

Your Committee has amended this measure by:

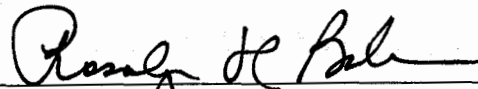
2010-1290 SSCR SMA.doc



- (1) Adding a new provision to allow solicitation of proxies and distribution of forms through the association's website;
- (2) Providing that the requirements of this Act shall not take effect until January 1, 2011, to allow associations time to adopt the changes made by this measure in time for their next annual meetings; and
- (3) Making nonsubstantive technical changes for the purposes of clarity and accuracy.

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. 2222, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2222, 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,

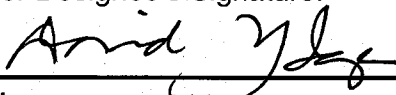


ROSALYN H. BAKER, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

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

Bill / Resolution No.:* <b>SB 2222</b>	Committee Referral: <b>CPN</b>	Date: <b>07/23/2010</b>		
<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)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les	✓			
SAKAMOTO, Norman				✓
HEMMINGS, Fred				✓
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>
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