

Honolulu, Hawaii

Feb 18, 2011

RE: H.B. No. 1247
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 1247 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 the process regarding the selection process for boards of directors of planned community associations, by:

- (1) Including a term limit in which a board of director member of a planned community association may serve; and
- (2) Specifying guidelines for the mailing of proxies and proxy.

A concerned individual testified in support of this bill. Mililani Town Association, Villages of Kapolei Association, and several concerned individuals testified in opposition to this measure. Kohala Ranch Property Owners submitted comments.

Your Committee has amended this bill by:

- (1) Increasing the number of terms that a board director of a planned community association may serve from two consecutive terms to four consecutive terms;



- (2) Eliminating the requirement whereby planned community association boards must mail proxy forms to owners by certified mail with a postage-paid self-addressed envelope;
- (3) Requiring that on the proxy form, there shall be an additional option in which all proxy votes shall go into a pool in which the votes are to be divided equally among the candidates present at the meeting; 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 H.B. No. 1247, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1247, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

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



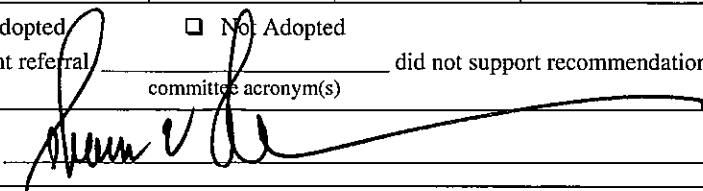
RIDA T.R. CABANILLA, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 595

Record of Votes of the Committee on Housing

Bill/Resolution No.: HB 1247	Committee Referral: HSG, CPC	Date: 2/16/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSG Members	Ayes	Ayes (WR)	Nays	Excused
1. CABANILLA, Rida T.R. (C)	✓			
2. CHONG, Pono (VC)				✓
3. CARROLL, Mele				✓
4. CHANG, Jerry L.	✓			
5. COFFMAN, Denny	✓			
6. HAR, Sharon E.	✓			
7. HERKES, Robert N.				✓
8. ITO, Ken	✓			
9. MORITA, Hermina M.				✓
10. NAKASHIMA, Mark M.				✓
11. PINE, Kymerly Marcos	✓			
12. THIELEN, Cynthia	✓			
TOTAL (12)	7			5
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> No: Adopted If joint referral committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				