

Honolulu, Hawaii

Feb 16, 2011

RE: H.B. No. 69
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. 69
entitled:

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

begs leave to report as follows:

The purpose of this bill is to clarify the right of members
of planned community associations to display the United States and
State of Hawaii flags on their properties by prohibiting planned
community associations and their boards of directors from:

- (1) Disallowing members or their bona fide tenants from
displaying house-mounted United States and State of
Hawaii flags on their residential dwellings; and
- (2) Assessing or charging any fee or fine, or imposing any
penalty, on their members, for house-mounted display of
these flags.

It is your Committee's intent to give latitude to the members
of planned community associations in determining the duration and
time period in which they may choose to display house-mounted
United States and State of Hawaii flags, and as such, a specified
duration and time period is not reflected in this bill.



The Oahu Veterans Council, President of the Korean Air Force Association of Hawaii, Commander of the Veterans of Foreign Wars Post 970, and several concerned military veterans and individuals testified in support of this measure. Mililani Town Association submitted testimony in opposition to this bill.

Upon consideration, your Committee has amended this bill by:

- (1) Specifying that any house-mounted United States flag or State of Hawaii flag must be displayed in a prominent position on the residential dwelling, rather than displayed at the front of the residential dwelling; and
- (2) 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. 69, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 69, H.D. 1, and be referred to the Committee on Judiciary.

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

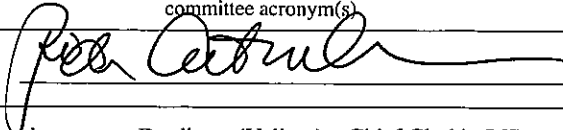

RIDA T.R. CABANILLA, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 302

Record of Votes of the Committee on Housing

Bill/Resolution No.: HB 69	Committee Referral: HSG, JUD	Date: 2-9-11		
<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, Kymberly Marcos	✓			
12. THIELEN, Cynthia	✓			
TOTAL (12)	11			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				