

STAND. COM. REP. NO.

2485

Honolulu, Hawaii

MAR 01 2012

RE: S.B. No. 2465

S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2465 entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow petitioners adequate time to be heard at a requested special association meeting and prohibit a condominium board from adopting rules for association meetings that would otherwise require a vote of a majority of the quorum to change.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Community Associations Institute - Hawaii Chapter and Hawaii State Association of Parliamentarians.

Your Committee finds that current rules generally used for special association meetings limit the opportunity to be heard for the owners who request these meetings. Your Committee further finds that certain provisions in this measure may conflict with Robert's Rules of Order Newly Revised, the guidebook on meeting management that governs association and board meetings. Your Committee additionally finds that condominium associations, not condominium boards, generally have the power to adopt rules for association meetings.

Accordingly, your Committee has amended this measure by:

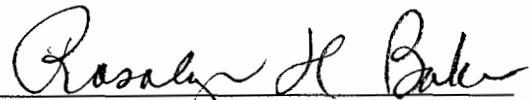
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- (1) Clarifying the requirements for an adequate opportunity to be heard at a special association meeting; and
- (2) Specifying when an association is prohibited from adopting any rule for association meetings that would otherwise require a vote of a majority of the quorum to change.

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. 2465, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2465, 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-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 2465	Committee Referral: CPN	Date: 2/24/12		
<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)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama				✓
SLOM, Sam				✓
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes