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March 20, 2012

Representative Rida T.R. Cabanilla, Chair
Representative Ken Ito, Vice Chair
Committee on Housing

LATE TESTIMONY

RE: BILL: S.B. No. 2465, S.D.1
DATE: March 21, 2012
TIME: 9:00 a.m.
PLACE: Conference Room 325

Dear Representatives Cabanilla and Ito and Members of the Committee:

Thank you for the opportunity to present testimony on S.B. No. 2465, S.D.1. Senator Rosalyn H. Baker asked Richard Port and myself to draft the revisions to this Bill and I continue to support S.B. 2465, S.D.1 with one comment on one change made by someone other than Richard and myself.

I have a concern in Section 2 (§514B-123(k)) as the meaning is not clear. The sentence should read: "No association shall adopt any metering rules that would require more than a majority of the quorum to change; provided, however, that this shall not invalidate rules in the bylaws of the association or the requisite vote on procedural matters as required by Roberts Rules of Order Newly Revised."

Thank you for your consideration of my testimony.

Sincerely,

ANDERSON LAHNE & FUJISAKI LLP
A Limited Liability Law Partnership

/s/ *Joyce Y. Neeley*

Joyce Y. Neeley

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 21, 2012 12:28 AM
To: HSGtestimony
Cc: hsap.lc@gmail.com
Subject: Testimony for SB2465 on 3/21/2012 9:00:00 AM
Attachments: SB2465_Rev2 SG1_.docx

Testimony for HSG 3/21/2012 9:00:00 AM SB2465

LATE TESTIMONY

Conference room: 325
Testifier position: Comments Only
Testifier will be present: Yes
Submitted by: Steve Glanstein
Organization: Hawaii State Association of Parliamentarians
E-mail: hsap.lc@gmail.com
Submitted on: 3/21/2012

Comments:
Per Chair Cabanilla's request.

A BILL FOR AN ACT

RELATING TO CONDOMINIUMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 514B-121, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) Special meetings of the association may be called by the president, a majority of the board, or by a petition to the secretary or managing agent signed by not less than twenty-five per cent of the unit owners as shown in the association's record of ownership; provided that if the secretary or managing agent fails to send out the notices for the special meeting within fourteen days of receipt of the petition, the petitioners shall have the authority to set the time, date, and place for the special meeting and to send out the notices and proxies for the special meeting at the association's expense in accordance with the requirements of the bylaws and of this part; provided further that a special meeting based upon a petition to the secretary or managing agent shall be set no later than sixty days from receipt of the petition. If requested in the petition and provided further that a quorum is present, the petitioners

shall be entitled to a minimum of 15 minutes of presentation time by up to 3 unit owners who signed the petition. Additional discussion or debate shall be as provided for by Robert's Rules of Order Newly Revised. If petitioners at the meeting cannot agree on the 3 unit owners who signed the petition, then the association shall decide."

(Note: removed any change to §514B-123.)