

## kawakami3-Benigno

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 11, 2014 11:09 AM  
**To:** CPCtestimony  
**Cc:** bruceh@hmcmgt.com  
**Subject:** Submitted testimony for HB1923 on Feb 12, 2014 14:10PM

### **HB1923**

Submitted on: 2/11/2014

Testimony for CPC on Feb 12, 2014 14:10PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bruce Howe	Hawaiiana Management Co	Oppose	Yes

Comments: Hawaiiana Management Co., Ltd. opposes HB 1923 on behalf of our nearly 600 associations across all islands. E-mail addresses may be changed at the whim of the recipient, making them extremely difficult to accurately maintain. This puts an additional burden on our resident managers, some of whom may not be strong in their administrative skills. Also, e-mail access creates security risks for owners and exposes them to unwanted spam. Current methods of communication have been adequate and any change is unnecessary and unwarranted. Thank you for considering this input.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**HAWAII STATE ASSOCIATION OF PARLIAMENTARIANS  
LEGISLATIVE COMMITTEE  
P. O. Box 29213  
HONOLULU, HAWAII 96820-1613  
E-MAIL: [HSAP.LC@GMAIL.COM](mailto:HSAP.LC@GMAIL.COM)**

February 11, 2014

Honorable Rep. Angus L. K. McKelvey, Chairman  
Consumer Protection and Commerce Committee  
Conference Room 325  
State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

Honorable Rep. Derek S. K. Kawakami, Vice Chair  
House Consumer Protection and Commerce Committee  
Hawaii State Capitol, Room 325  
415 South Beretania Street  
Honolulu, HI 96813

**RE: Testimony to OPPOSE HB1923; Hearing Date February 12, 2014 at 2:10 p.m.;  
sent via Internet**

Aloha Chair McKelvey, Vice-Chair Kawakami, and Committee members,

Thank you for the opportunity to provide testimony on this bill on behalf of the Hawaii State Association of Parliamentarians ("HSAP").

This bill proposes to amend HRS §514B-153 require that the resident manager, managing agent, or the board maintain e-mail addresses of association owners.

It also mandates that these e-mail addresses be available to owners under certain circumstances.

There is currently no legal requirement for owners to provide management with their e-mail addresses. If homeowners are advised that their addresses will be readily available to any other homeowner, they will probably be LESS LIKELY to provide this information to the association management.

Further, there are currently CRIMINAL sanctions for failure to comply with HRS §514B-153.

HRS §514B-69 states,

**"[§514B-69] Penalties. (a) Any person who violates or fails to comply with this part, part V, section 514B-103, 514B-132, 514B-134, 514B-149, or sections 514B-152 to 514B-154, shall be guilty of a misdemeanor and shall be punished by a fine**

**not exceeding \$10,000, or by imprisonment for a term not exceeding one year, or both.** Any person who violates or fails to comply with any rule, order, decision, demand, or requirement of the commission under this part, part V, section 514B-103, 514B-132, 514B-134, 514B-149, or sections 514B-152 to 514B-154, shall be punished by a fine not exceeding \$10,000.

(b) In addition to any other actions authorized by law, any person who violates or fails to comply with this part, part V, section 514B-103, 514B-132, 514B-134, 514B-149, sections 514B-152 to 514B-154, or the rules of the commission adopted pursuant thereto, **shall also be subject to a civil penalty not exceeding \$10,000 for any violation. Each violation shall constitute a separate offense.**

(Emphasis added.)

I urge you to hold this bill.

If you require any additional information, your call is most welcome. I may be contacted via phone: 423-6766 or by e-mail: [hsap.lc@gmail.com](mailto:hsap.lc@gmail.com). Thank you for the opportunity to present this testimony.

Sincerely,

**Steve Glanstein**

Digitally signed by Steve Glanstein  
DN: cn=Steve Glanstein, o, ou,  
email=Steveghi@gmail.com, c=US  
Location: Honolulu, HI  
Date: 2014.02.11 14:08:27 -10'00'

Steve Glanstein, Professional Registered Parliamentarian  
Chair, HSAP Legislative Committee

## kawakami3-Benigno

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, February 11, 2014 10:12 AM  
**To:** CPCtestimony  
**Cc:** cporter@hawaiiilegal.com  
**Subject:** Submitted testimony for HB1923 on Feb 12, 2014 14:10PM

### **HB1923**

Submitted on: 2/11/2014

Testimony for CPC on Feb 12, 2014 14:10PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christian Porter	Community Association Institute	Oppose	No

Comments: Community Association Institute Opposes HB 1923 as (1) it will increase the administrative burden for the manager, managing agent or the board to keep track of all owners' email addresses; (2) email is much more prone to security risks in terms of spam and other problems associated with it; and (3) the current requirements have been satisfactory, there have been no widespread complaints about the current law and any change at this time is not warranted. Thank you for your consideration.

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**kawakami3-Benigno**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 10, 2014 7:15 PM  
**To:** CPCtestimony  
**Cc:** twalkey@clearwire.net  
**Subject:** \*Submitted testimony for HB1923 on Feb 12, 2014 14:10PM\*

**HB1923**

Submitted on: 2/10/2014

Testimony for CPC on Feb 12, 2014 14:10PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ted Walkey	Individual	Oppose	No

Comments:

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