

STAND. COM. REP. NO. 1061

Honolulu, Hawaii
March 3, 2017

RE: H.B. No. 239
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 239, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this measure is to clarify the circumstances under which a proxy, for condominium association meeting purposes, shall be counted for quorum purposes only.

Specifically, this measure clarifies that when a proxy is returned with no boxes checked or more than one box checked, the proxy shall be counted for quorum purposes only.

The Hawaii Council of Associations of Apartment Owners dba Hawaii Council of Community Associations, Hui 'Oia'i'o, and several concerned individuals testified in support of this measure. One individual testified in opposition to this measure. The Hawaii State Association of Parliamentarians, and two individuals provided comments.

Your Committee has amended this measure by:

- (1) Clarifying that the box on the proxy form that requests an annual audit report does not count towards

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determining whether the proxy shall be used for quorum purposes only;

- (2) Changing its effective date from July 1, 2099, to upon approval; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 239, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 239, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



