

HB-2315

Submitted on: 2/13/2024 3:31:44 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Idor Harris	Honolulu Tower AOA	Oppose	Written Testimony Only

Comments:

Honolulu Tower is a 396 unit condominium located at Beretania and Maunakea Streets on the edge of Chinatown. The Honolulu Tower Association of Apartment Owners Board of Directors has discussed electronic voting in the past and is on record as opposed to this procedure and urges you to defer this bill. This bill appears annually, in one or both chambers.

Many of our members are uneducated in the use of smart phones, tablets, computers, etc. This bill will disenfranchise them. This is their home. The unit is a financial investment for them.

The board is also opposed to requiring voting by mail, attending and casting votes via electronic transmission technology, paper ballots to be mailed out before any annual or periodic election of board members. Our owners are used to candidates being nominated from the floor, in 2021 and 2023 candidates nominated from the floor were elected to the board.

Idor Harris, Resident Manager

HB-2315

Submitted on: 2/13/2024 3:57:42 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Emery	Hawaii First Realty LLC	Comments	Written Testimony Only

Comments:

I support the testimony of the Hawaii Chapter of the National Association of Parliamentarians. Amendments required.

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee on Consumer Protection and Commerce:

and

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee on Judiciary and Hawaiian Affairs:

I am providing comments on H.B. 2315. The intent of the bill is good, but it needs work.

The bill makes changes to HRS Section 514B-121(c) (formerly HRS Section 514B121(b)) and deletes the language that states that the event of conflict between HRS Section 514B-121(c) and the revised HRS Section 514B-121(f), HRS Section 514B-121(f) will control. The failure to state which section will control in the event of conflict will lead to confusion and disputes. Accordingly, I do not support the proposed changes to HRS Section 514B-121(c). Rather than adding a revised HRS Section 514B-121(c), it would be best to delete that section in its entirety. It is obsolete and not needed. It calls for voting devices that are not connected to the internet, which are hard to find. If this provision is deleted, then the section numbers that follow should be renumbered accordingly.

The proposed change to HRS Section 514B-121(f) is well intended, but it should be amended as follows.

First, the reference to “machine” voting is vague and confusing. It would be better to delete the word “machine” and simply reference electronic meetings, electronic voting, and mail voting.

Second, the Committee should consider making electronic meetings, electronic voting, and mail voting more accessible to condominiums. It would be better to replace the new Section 514B-121(f)(3) with a provision that would allow condominium associations to adopt a special meeting rule at an association meeting that permits the Board to authorize electronic meetings, electronic voting, and mail voting.

Third, HRS Section 514B-121(g) (formerly, HRS Section 514B-121(f)) should be amended to add the words “in person” before the word “meetings” to make it clear that only “in person” meetings must be held at the address of the condominium or within the state as determined by

the board, except in the event of a natural disaster. Electronic meetings held via zoom are held over the internet and not necessarily at a physical location.

For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Respectfully submitted,

Reyna C. Murakami
AOUO President, AOA O Waialae Place
AOUO President, AOA O Mariner's Village 1
AOUO Vice- President, The Continental Apartments

HB-2315

Submitted on: 2/13/2024 8:50:07 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Palehua Townhouse Association	Support	Written Testimony Only

Comments:

Our association supports HB2315. We do understand that some proposed amendments will enhance this bill. Please pass this bill.

Mike Golojuch, Sr., President

HB-2315

Submitted on: 2/14/2024 2:29:47 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ben Robinson	IP Xpert of Honolulu	Support	Written Testimony Only

Comments:

Aloha,

In reference to HB 2315, I support the proposed changes.

As a network security consultant, I believe the language of the statute can be simplified to remove a fog cloud of confusion over the ability to conduct association meeting votes electronically.

Specifically changing “(1) The electronic voting device and all associated equipment shall be isolated from any connection to an external network, including the Internet, or shall use a form of encryption comparable to that used for secured internet web browsers;” to “Electronic voting is allowed as long as a cryptographic protocol is used to secure the data.”

Mahalo,

Ben Robinson, Cisco CCIE No. 11604 (R/S, Security)
IP Xpert of Honolulu

HB-2315

Submitted on: 2/14/2024 7:07:52 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rachel Glanstein	AOAO Lakeview Sands	Comments	Written Testimony Only

Comments:

I am providing comments on H.B. 2315. The intent of the bill is good, but it needs work.

The bill makes changes to HRS Section 514B-121(c) (formerly HRS Section 514B-121(b)) and deletes the language that states that the event of conflict between HRS Section 514B-121(c) and the revised HRS Section 514B-121(f), HRS Section 514B-121(f) will control. The failure to state which section will control in the event of conflict will lead to confusion and disputes. Accordingly, I do not support the proposed changes to HRS Section 514B-121(c). Rather than adding a revised HRS Section 514B-121(c), it would be best to delete that section in its entirety. It is obsolete and not needed. It calls for voting devices that are not connected to the internet, which are hard to find. If this provision is deleted, then the section numbers that follow should be renumbered accordingly.

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For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Mahalo for your time,

Rachel Glanstein

HB-2315

Submitted on: 2/14/2024 9:14:36 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark McKellar	Law Offices of Mark K. McKellar, LLLC	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee on Consumer Protection and Commerce:

and

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee on Judiciary and Hawaiian Affairs:

I am providing comments on H.B. 2315. The intent of the bill is good, but it needs work.

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Respectfully submitted,

Mark McKellar



**HAWAII STATE ASSOCIATION OF PARLIAMENTARIANS
LEGISLATIVE COMMITTEE
P. O. Box 29213
HONOLULU, HAWAII 96820-1613
E-MAIL: STEVEGHI@GMAIL.COM**

February 13, 2024

Honorable Rep. Mark M. Nakashima, Chair
Honorable Rep. Jackson D. Sayama, Vice Chair
House Committee on Consumer Protection and Commerce (CPC)
Hawaii State Capitol, Room 325
415 South Beretania Street
Honolulu, HI 96813

Honorable Rep. David A. Tarnas, Chair
Honorable Rep. Gregg Takayama, Vice Chair
House Committee on Judiciary and Hawaiian Affairs (JHA)
Hawaii State Capitol, Room 325
415 South Beretania Street
Honolulu, HI 96813

**RE: Testimony in SUPPORT OF HB2315 with Amendments; Hearing Date:
February 15, 2024 at 2:00 p.m.; sent via Internet**

Dear Rep. Mark M. Nakashima, Rep. David A. Tarnas, Chairs, and Committee Members:

Thank you for the opportunity to provide testimony on this bill. The Hawaii State Association of Parliamentarians ("HSAP") has been providing professional parliamentary expertise to Hawaii since 1964.

I am the chair of the HSAP Legislative Committee. I'm also an experienced Professional Registered Parliamentarian who has worked with condominium and community associations every year since I began my parliamentary practice in 1983 (more than 2,000 meetings in 40 years). I was also a member of the Blue Ribbon Recodification Advisory Committee that presented the recodification of Chapter 514B to the legislature in 2004.

This testimony is provided as part of HSAP's effort to assist the community based upon our collective experiences with the bylaws and meetings of numerous condominiums, cooperatives, and planned community associations.

This testimony is presented in SUPPORT OF HB2315 with some proposed changes.

We concur with Anne Anderson, Esq., whose assistance and comments have been invaluable in improving the proposed wording for this bill.

Summary of Bill:

The bill proposes to improve the HRS §514B-121 with respect to electronic meetings, electronic voting, and mail voting.

In 2019, several volunteers worked together to provide legislation that would permit electronic voting devices to be used as a more efficient, accurate, and auditable method for counting votes at condominium meetings.

In 2021 and 2022, several of us worked to provide legislation for additional COVID related relief for condominium associations in the state of Hawaii.

In 2023, several of us realized, based upon election experience that the technology had evolved.

The result is that electronic voting devices have been replaced with smart phone technology and there is a high level of auditing, security, and control.

The current statute, HRS §514B-121, needs some cleanup and we're requesting that the legislature assist in that effort.

Proposed Changes:

1. We agree that the subsection HRS §514B-121(b) regarding conduct of meetings needs to be its own subsection (page 2, lines 7-9).
2. HRS §514B-121(b) in the current statute or the new proposed HRS §514B-121(c) refers to electronic voting devices. We suggest this subsection has become obsolete due to evolving technology and is no longer needed (page 2, lines 10-20 through page 3, lines 1-21). We recommend deleting this subsection entirely.
3. HRS §514B-121(e) in the current statute is a consequential change of the separate subsection in new HRS §514B-121(b) (page 5, lines 15-17 moved to new HRS §514B-121(b) on page 2, lines 7-9).
4. We believe that the reference to “machine” voting is vague and confusing. It would be better to delete the word “machine” and simply reference electronic meetings, electronic voting, and mail voting.
5. We recommend the Committee consider making electronic meetings, electronic voting, and mail voting more accessible in order to allow owners to have more participation with their association's meetings and voting process.

Please consider changing HRS §514B-121(e)(3) in the current statute or the new proposed HRS §514B-121(f)(3) to:

“(f) Notwithstanding any provision to the contrary in the association's declaration or bylaws [~~or in subsection (b)~~], electronic meetings and electronic, machine, or mail voting may be authorized by the board in its sole discretion: ...

“(3) When approved by adoption of a special meeting rule at an association meeting that permits the Board to authorize electronic meetings, electronic voting, and mail voting; or” (page 5, lines 17-21 and page 6, lines 12-21).

Please make sure existing subsection (4) or new subsection (5) remains as several associations on Maui and Kauai have already amended their bylaws to provide for electronic meetings, electronic voting, and mail voting (page 7, lines 1-2).

6. Please consider changing HRS §514B-121(f) in the current statute or the new proposed HRS §514B-121(g) to insert the words, “in person” before the word “meetings” in the subsection to ensure that only “in person” meetings must be held at the address of the condominium or within the state as determined by the board, except in the event of a natural disaster. Electronic meetings held via Zoom or other videoconferencing are held over the internet and not necessarily at a physical location (page 7, lines 12-16).

We request that HB2315 be approved by the Committees with the above discussed amendments. We are willing to work with staff if requested to ensure that the changes are in accord with the Committees' decisions.

If you require any additional information, your call is most welcome. I may be contacted via phone: 423-6766 or through e-mail: Steveghi@Gmail.com. Thank you for the opportunity to present this testimony.

Sincerely,

Steve Glanstein

Steve Glanstein, Professional Registered Parliamentarian
Chair, HSAP Legislative Committee

SG:tbs

HB-2315

Submitted on: 2/13/2024 1:23:17 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Audrey	Individual	Support	Written Testimony Only

Comments:

I support this bill

HB-2315

Submitted on: 2/13/2024 3:07:57 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Oppose	Written Testimony Only

Comments:

As a condo owner and board member I am opposed to this bill. If an association is to vote electronically, the decision should be made by the owners, not the board. This is a major change. There are many owners in my building who do not have computers, smart phones, are unfamiliar with electronic communications and don't want to learn. One owner was frustrated when he could not get a discount at Safeway because it was a digital coupon and he did not know how to get the coupon. You are disenfranchising many condo owners.

Mail voting is another problem. At our meetings candidates are nominated from the floor. In 2023 three candidates were nominated at the annual meeting. They decided as the meeting progressed that they wanted to run. One was elected. A mail ballot denies some owners of running. There should not be any blanket provision allowing for mail ballots. Candidates must be allowed to be nominated at the meeting.

This bill is a mess. It seems to be a clone of SB886 from 2023.

Please defer.

HB-2315

Submitted on: 2/13/2024 3:16:13 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sue Pliszka	Individual	Support	Written Testimony Only

Comments:

I support HB2315

HB-2315

Submitted on: 2/13/2024 5:13:51 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Anderson	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee:

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The bill makes changes to HRS Section 514B-121(c) (formerly HRS Section 514B121(b)) and deletes the language that states that the event of conflict between HRS Section 514B-121(c) and the revised HRS Section 514B-121(f), HRS Section 514B-121(f) will control. The failure to state which section will control in the event of conflict will lead to confusion and disputes.

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For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Respectfully submitted,

Anne Anderson

HB-2315

Submitted on: 2/13/2024 5:19:10 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John Toalson	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee:

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For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Respectfully submitted,

John Toalson

HB-2315

Submitted on: 2/13/2024 5:32:28 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christina Marumoto	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee:

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Respectfully submitted,

Christina Marumoto

HB-2315

Submitted on: 2/13/2024 5:59:54 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joe M Taylor	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee:

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Respectfully submitted,

Joe Taylor

HB-2315

Submitted on: 2/13/2024 6:18:38 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
mary freeman	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee:

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Respectfully submitted,

Mary Freeman

Ewa Beach

HB-2315

Submitted on: 2/13/2024 7:17:37 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Primrose	Individual	Comments	Written Testimony Only

Comments:

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Respectfully submitted,

Primrose K. Leong-Nakamoto

HB-2315

Submitted on: 2/13/2024 9:39:25 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Edwina Spallone	Individual	Oppose	Written Testimony Only

Comments:

I am strongly against meetings conducted electronically, as board members do not turn on their cameras. Owners can not see if they are paying attention to the meeting, or doing something away from the computer. Or if others that are not owners are listening in. Especially during the executive meetings.

I am strongly against electronic voting, mail voting & machine voting. As these methods can be altered & hidden votes mail can go missing, or electronic votes may be altered.

Mahalo & God Bless,

Edwina Spallone

HB-2315

Submitted on: 2/14/2024 12:10:42 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bonnie Fraser	Individual	Support	Written Testimony Only

Comments:

Aloha,

In reference to HB 2315, I am writing in support of the proposed changes.

However, the option to vote electronically, which is allowed in both Robert’s Rules and on this document, is unclear to our board and our management company.

I would like to change “(1) The electronic voting device and all associated equipment shall be isolated from any connection to an external network, including the Internet, or shall use a form of encryption comparable to that used for secured internet web browsers;” to “Electronic voting is allowed as long as a cryptographic protocol is used to secure the data.”

Mahalo.

HB-2315

Submitted on: 2/14/2024 6:07:32 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lance S. Fujisaki	Individual	Oppose	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee on Consumer Protection and Commerce:

and

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee on Judiciary and Hawaiian Affairs:

I am providing comments on H.B. 2315. The intent of the bill is good, but it needs work.

The bill makes changes to HRS Section 514B-121(c) (formerly HRS Section 514B121(b)) and deletes the language that states that the event of conflict between HRS Section 514B-121(c) and the revised HRS Section 514B-121(f), HRS Section 514B-121(f) will control. The failure to state which section will control in the event of conflict will lead to confusion and disputes. Accordingly, I do not support the proposed changes to HRS Section 514B-121(c). Rather than adding a revised HRS Section 514B-121(c), it would be best to delete that section in its entirety. It is obsolete and not needed. It calls for voting devices that are not connected to the internet, which are hard to find. If this provision is deleted, then the section numbers that follow should be renumbered accordingly.

The proposed change to HRS Section 514B-121(f) is well intended, but it should be amended as follows.

First, the reference to "machine" voting is vague and confusing. It would be better to delete the word "machine" and simply reference electronic meetings, electronic voting, and mail voting. Second, the Committee should consider making electronic meetings, electronic voting, and mail voting more accessible to condominiums. It would be better to replace the new Section 514B-121(f)(3) with a provision that would allow condominium associations to adopt a special meeting rule at an association meeting that permits the Board to authorize electronic meetings, electronic voting, and mail voting.

Third, HRS Section 514B-121(g) (formerly, HRS Section 514B-121(f)) should be amended to add the words "in person" before the word "meetings" to make it clear that only "in person" meetings must be held at the address of the condominium or within the state as determined by the board, except in the event of a natural disaster. Electronic meetings held via zoom are held over the internet and not necessarily at a physical location.

For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Respectfully submitted,

Lance Fujisaki

HB-2315

Submitted on: 2/14/2024 6:56:24 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie Wassel	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee on Consumer Protection and Commerce:

and

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee on Judiciary and Hawaiian Affairs:

I am providing comments on H.B. 2315. The intent of the bill is good, but it needs work.

The bill makes changes to HRS Section 514B-121(c) (formerly HRS Section 514B121(b)) and deletes the language that states that the event of conflict between HRS Section 514B-121(c) and the revised HRS Section 514B-121(f), HRS Section 514B-121(f) will control. The failure to state which section will control in the event of conflict will lead to confusion and disputes. Accordingly, I do not support the proposed changes to HRS Section 514B-121(c). Rather than adding a revised HRS Section 514B-121(c), it would be best to delete that section in its entirety. It is obsolete and not needed. It calls for voting devices that are not connected to the internet, which are hard to find. If this provision is deleted, then the section numbers that follow should be renumbered accordingly.

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First, the reference to “machine” voting is vague and confusing. It would be better to delete the word “machine” and simply reference electronic meetings, electronic voting, and mail voting.

1. the Committee should consider making electronic meetings, electronic voting, and mail voting more accessible to condominiums. It would be better to replace the new Section 514B-121(f)(3) with a provision that would allow condominium associations to adopt a special meeting rule at an association meeting that permits the Board to authorize electronic meetings, electronic voting, and mail voting.
1. HRS Section 514B-121(g) (formerly, HRS Section 514B-121(f)) should be amended to add the words “in person” before the word “meetings” to make it clear that only “in person” meetings must be held at the address of the condominium or within the state as determined by the board, except in the event of a natural disaster. Electronic meetings held via zoom are held over the internet and not necessarily at a physical location.

For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Thank you,

Julie Wassel

HB-2315

Submitted on: 2/14/2024 7:57:57 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Paul A. Ireland Koftinow	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee on Consumer Protection and Commerce:

and

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee on Judiciary and Hawaiian Affairs:

I am providing comments on H.B. 2315. The intent of the bill is good, but it needs work.

The bill makes changes to HRS Section 514B-121(c) (formerly HRS Section 514B121(b)) and deletes the language that states that the event of conflict between HRS Section 514B-121(c) and the revised HRS Section 514B-121(f), HRS Section 514B-121(f) will control. The failure to state which section will control in the event of conflict will lead to confusion and disputes.

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Third, HRS Section 514B-121(g) (formerly, HRS Section 514B-121(f)) should be amended to add the words “in person” before the word “meetings” to make it clear that only “in person” meetings must be held at the address of the condominium or within the state as determined by the board, except in the event of a natural disaster. Electronic meetings held via zoom are held over the Internet and not necessarily at a physical location.

For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Respectfully submitted,

Paul A. Ireland Koftinow

HB-2315

Submitted on: 2/14/2024 10:54:08 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christy Hinds	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee:

I am providing comments on H.B. 2315. The intent of the bill is good, but it needs work.

The bill makes changes to HRS Section 514B-121(c) (formerly HRS Section 514B121(b)) and deletes the language that states that the event of conflict between HRS Section 514B-121(c) and the revised HRS Section 514B-121(f), HRS Section 514B-121(f) will control. The failure to state which section will control in the event of conflict will lead to confusion and disputes.

Accordingly, I do not support the proposed changes to HRS Section 514B-121(c). Rather than adding a revised HRS Section 514B-121(c), it would be best to delete that section in its entirety. It is obsolete and not needed. It calls for voting devices that are not connected to the internet, which are hard to find. If this provision is deleted, then the section numbers that follow should be renumbered accordingly.

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For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Respectfully submitted,

Christy Hinds

HB-2315

Submitted on: 2/14/2024 11:29:39 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Herzog	Individual	Support	Written Testimony Only

Comments:

To the Esteemed Members of the Legislative Body Addressing BillHB3215:

I advocate strongly for HB2315, underscoring the urgent need for reform in condominium association meetings and voting processes. Hawaii's unique real estate landscape, dominated by non-occupant owners, has inadvertently nurtured conditions ripe for corruption. The current system, which allows an owner's vote to be given to "the board as a whole," is particularly flawed and susceptible to abuse, serving as a conduit for undemocratic practices.

HB2315 offers a promising solution by facilitating electronic, machine, or mail voting, ensuring every owner, regardless of their physical presence, can contribute meaningfully to decision-making. This inclusivity is vital for countering the existing void that enables corruption. Moreover, it's imperative that legislators scrutinize the entrenched system that permits, if not encourages, the exploitation of homeowners by some management companies and boards.

I urge your support for HB2315, viewing it as a critical step towards establishing a transparent, fair, and accountable governance framework. This legislation represents an opportunity to dismantle the legalized racketeering perpetuated under current statutes, crafted to the benefit of a few at the expense of the broader homeowner community.

I ask for your support on HB2315 and for your commitment to justice and equity in our communities.

Sincerely,

Jessica Herzog
Makaha Sufside AoAo - 96792

HB-2315

Submitted on: 2/14/2024 1:32:40 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol Walker	Individual	Comments	Written Testimony Only

Comments:

Dear Representative Nakashima, Chair, Representative Sayama, Vice Chair, and Members of the Committee on Consumer Protection and Commerce:

and

Dear Representative Tarnas, Chair, Representative Takayama, Vice Chair, and Members of the Committee on Judiciary and Hawaiian Affairs: I am providing comments on H.B. 2315. The intent of the bill is good, but it needs work.

The bill makes changes to HRS Section 514B-121(c) (formerly HRS Section 514B121(b)) and deletes the language that states that the event of conflict between HRS Section 514B-121(c) and the revised HRS Section 514B-121(f), HRS Section 514B-121(f) will control. The failure to state which section will control in the event of conflict will lead to confusion and disputes.

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1. the Committee should consider making electronic meetings, electronic voting, and mail voting more accessible to condominiums. It would be better to replace the new Section 514B-121(f)(3) with a provision that would allow condominium associations to adopt a

special meeting rule at an association meeting that permits the Board to authorize electronic meetings, electronic voting, and mail voting.

1. HRS Section 514B-121(g) (formerly, HRS Section 514B-121(f)) should be amended to add the words “in person” before the word “meetings” to make it clear that only “in person” meetings must be held at the address of the condominium or within the state as determined by the board, except in the event of a natural disaster. Electronic meetings held via zoom are held over the internet and not necessarily at a physical location.

For the reasons stated herein, if H.B. 2315 is passed by the Committee, please adopt it with the above-discussed amendments.

Respectfully submitted,

Carol Walker

LATE

HB-2315

Submitted on: 2/14/2024 9:37:46 PM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kate Paine	Individual	Support	Written Testimony Only

Comments:

Bldgs are in dire need of protection support.

LATE

HB-2315

Submitted on: 2/15/2024 11:14:52 AM

Testimony for CPC on 2/15/2024 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Milica B.	Individual	Support	Written Testimony Only

Comments:

It has to be added that some owners who are NOT supporters of the Board should count the votes to make sure that nobody is miscounting the votes.

and that voting records should be available immediately, not "after the meeting."