

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 1349
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which
was referred S.B. No. 1349 entitled:

"A BILL FOR AN ACT RELATING TO NONPROFIT CORPORATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize Hawaii
nonprofit corporations to use electronic communications
technologies to permit member actions by ballot, conduct voting,
provide notice, and conduct meetings.

Your Committee received testimony in support of this measure
from the Commissioner of Securities for the Business Registration
Division of the Department of Commerce and Consumer Affairs, the
Department of the Attorney General, the University of Hawai'i
Professional Assembly, the Hawai'i Alliance of Nonprofit
Organizations, Aloha Society of Association Executives, and E
Kupaku Ka 'Aina - The Hawai'i Land Restoration Institute.

Your Committee finds that this measure allows nonprofit
corporations to take advantage of communications technologies that
are readily accessible to organizations and individuals to improve
efficiency in the conduct of business. Your Committee further
finds that, while the current law does not specifically prohibit
the use of these technologies, this measure provides clarity and
ensures that nonprofit corporations may be confident that their
operations are in conformity with the law. Finally, your
Committee finds that this measure will provide members of
nonprofit organizations, particularly those on neighbor islands,

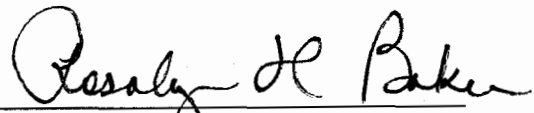


with greater opportunities for timely and meaningful participation in their organizations. Your Committee notes that testimony received from all stakeholders, including the regulatory entities, expressed strong support for this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 1349, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1349, 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.:* <div style="font-size: 1.5em; font-family: cursive;">SB 1349</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">CPN</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">2-25-11</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
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: <div style="font-size: 1.5em; font-family: cursive;">[Signature]</div>				
Distribution: <div style="display: flex; justify-content: space-around; font-size: 0.8em;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

*Only one measure per Record of Votes