

HB-2315-SD-1

Submitted on: 3/28/2024 10:34:23 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Our association supports HB2315, SD1. Please pass this bill.

Mike Golojuch, Sr., President



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

April 2, 2024

Honorable Sen. Karl Rhoads, Chair
Honorable Sen. Mike Gabbard, Vice Chair
Senate Committee on Judiciary (JDC)
Hawaii State Capitol, Conference Room 016
415 South Beretania Street
Honolulu, HI 96813

**RE: Testimony in SUPPORT OF HB2315 HD1 SD1 with Amendments; Hearing
Date: April 4, 2024 at 10:00 a.m.; sent via Internet**

Dear Sen. Karl Rhoads, Chair, Sen. Gabbard, Vice Chair, 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 HD1 SD1 with some proposed changes.

Summary of Bill:

The bill proposes to improve 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. There were few solutions at the time but we were able to draft proposed legislation to enable their use.

In 2021 and 2022, several of us worked to provide legislation for additional COVID-related relief for condominium association meetings in the state of Hawaii. In 2023, several of us realized, based upon election experience that the electronic voting 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 process has been used several times this year and our experience has permitted us to share it with attorneys, management companies, board members, and owners.

During this legislative process, we strived to continue the improvement process of the bill and have received mostly positive results.

We have one proposed change that could further improve the notice requirement for electronic and mail voting, described below.

Proposed Change:

Page 6, lines 12-16 state:

“For any electronic meetings, electronic voting, and mail voting, the voting deadline shall be within sixty days of the date the notice was first sent. The association shall implement reasonable measures to verify that each person permitted to vote is a member of the association or proxy of a member.”

We suggest that this be changed to:

“[For any electronic meetings, electronic voting, and mail voting, the voting deadline shall be within sixty days of the date the notice was first sent.] Electronic voting or mail voting on a matter shall commence within sixty days of the date the board first gives written notice to the unit owners of its intent to authorize electronic or mail voting on said matter and shall end on a date established by the board. The written notice shall be hand delivered, mailed by prepaid United States mail, or sent via electronic mail in the same manner specified for notices of meetings as set forth in subsection (d)(1)-(3) above. The association shall implement reasonable measures to verify that each person permitted to vote is a member of the association or proxy of a member.”

This proposed change would clarify the following:

1. Electronic meetings **are** meetings and are already subject to the requirements for meetings in subsection (d) [page 4, lines 1-18].
2. A protective starting requirement within sixty days is recommended for electronic voting or mail voting so that the voting process is started without undue delay. Sixty days should be more than enough time to send mail notice or electronic voting to the owners, even those in other countries.

We request that HB2315 HD1 SD1 be approved by the Committee with the above discussed amendment. We are willing to work with staff if requested to ensure that the changes are in accord with the Committee's decision.

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-SD-1

Submitted on: 4/2/2024 4:33:36 PM

Testimony for JDC on 4/4/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Rachel Glanstein	Testifying for AOA Lakeview Sands	Support	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Mahalo for your time,

Rachel Glanstein

HB-2315-SD-1

Submitted on: 4/2/2024 8:19:33 PM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Mark McKellar

HB-2315-SD-1

Submitted on: 4/3/2024 9:10:25 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jon McKenna	Testifying for Hawaiiana Management Company, Ltd.	Support	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Jon McKenna, President
Hawaiiana Management Company, Ltd.

HB-2315-SD-1

Submitted on: 4/1/2024 11:52:54 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Margaret Murchie	Individual	Support	Written Testimony Only

Comments:

Our condominium rules & procedures as a whole need to be updated, revised and hopefully a separate ombudsman will be appointed as current one testified that he could not keep up with the questions and complaints. It is so important to have rules simply understood without having to call in an attorney to review condo docs, which on the whole have been incorrect from some of the biggest property management companies so I am sure that the minutes are as well. I could not make my annual homeowner's meeting which was only on zoom so asked to have it recorded. We have gone through several companies over the years and the president of the board, who is retired and depends on their advice was told by the attorney (often referred by Richard Emery, Hawaii First who sold his company to Associa and is now a commissioner) that it could not be recorded. Same attorney has been infamous for his litigiousness. See Civil Beat - Dowsett Point. We need help and oversight of some of this egregiousness. Thank you for attention to this.

HB-2315-SD-1

Submitted on: 4/2/2024 1:46:59 PM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Anne Anderson

HB-2315-SD-1

Submitted on: 4/2/2024 2:08:33 PM

Testimony for JDC on 4/4/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Laura Bearden	Individual	Support	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Laura Bearden

HB-2315-SD-1

Submitted on: 4/2/2024 2:15:17 PM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Julie Wassel

HB-2315-SD-1

Submitted on: 4/2/2024 2:23:23 PM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Mary Freeman

Ewa Beach

HB-2315-SD-1

Submitted on: 4/2/2024 2:39:22 PM

Testimony for JDC on 4/4/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Targgart	Individual	Support	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,
Michael Targgart

HB-2315-SD-1

Submitted on: 4/2/2024 6:02:24 PM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

John Toalson

HB-2315-SD-1

Submitted on: 4/3/2024 7:51:25 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Joe Taylor

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, please consider the revisions suggested by Parliamentarian Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Mr. Glanstein.

Respectfully Submitted,

Pamela J. Schell

HB-2315-SD-1

Submitted on: 4/3/2024 8:30:46 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Honorable Sen. Karl Rhoads, Chair

Honorable Sen. Mike Gabbard, Vice Chair

Senate Committee on Judiciary (JDC)

The bill proposes to improve 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. There were few solutions at the time but we were able to draft proposed legislation to enable their use.

In 2021 and 2022, several of us worked to provide legislation for additional COVID-related relief for condominium association meetings in the state of Hawaii. In 2023, several of us realized, based upon election experience that the electronic voting 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 process has been used several times this year and our experience has permitted us to share it with attorneys, management companies, board members, and owners.

During this legislative process, we strived to continue the improvement process of the bill and have received mostly positive results.

We have one proposed change that could further improve the notice requirement for electronic and mail voting, described below.

Proposed Change:

Page 6, lines 12-16 state:

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We suggest that this be changed to:

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2. A protective starting requirement within sixty days is recommended for electronic voting or mail voting so that the voting process is started without undue delay. Sixty days should be more than enough time to send mail notice or electronic voting to the owners, even those in other countries.

We request that HB2315 HD1 SD1 be approved by the Committee with the above discussed amendment. We are willing to work with staff if requested to ensure that the changes are in accord with the Committee's decision.

Sincerely,

Carol Walker

The bill proposes to improve 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. There were few solutions at the time but we were able to draft proposed legislation to enable their use.

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We request that HB2315 HD1 SD1 be approved by the Committee with the above discussed amendment.

HB-2315-SD-1

Submitted on: 4/3/2024 8:32:00 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurie Sokach	Individual	Support	Written Testimony Only

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

You should already have received Steve Glanstein's proposed revisions.

Respectfully submitted,

Laurie Sokach AMS, PCAM

Community Portfiolo Manager

HB-2315-SD-1

Submitted on: 4/3/2024 8:32:01 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Lance Fujisaki

HB-2315-SD-1

Submitted on: 4/3/2024 8:34:19 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Lynn A. Hirashima	Individual	Support	Written Testimony Only

Comments:

I support HB 2315 HD1 SD1 as amended in Steve Glanstein's testimony submitted on April 4/2024 via Internet.

Respectfully submitted with Aloha,
Lynn A. Hirashima

HB-2315-SD-1

Submitted on: 4/3/2024 10:12:53 AM

Testimony for JDC on 4/4/2024 10:00:00 AM

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

Comments:

Dear Senator Rhoads, Chair, Senator Gabbard, Vice Chair, and Members of the Committee:

I support H.B. 2315, H.D.1, S.D.1. However, it needs revision as set forth in the testimony of Steve Glanstein, Chair of the Hawaii State Association of Parliamentarians Legislative Committee. Please adopt the bill with the revisions proposed by Steve Glanstein.

Respectfully submitted,

Primrose Leong-Nakamoto