



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

March 25, 2024

Honorable Sen. Jarrett Keohokalole, Chair
Honorable Sen. Carol Fukunaga, Vice Chair
Senate Committee on Commerce and Consumer Protection (CPN)
Hawaii State Capitol, Room 229
415 South Beretania Street
Honolulu, HI 96813

RE: Testimony in SUPPORT OF HB2318 HD1; Hearing Date: March 28, 2024 at 9:30 a.m.; sent via Internet

Dear Sen. Keohokalole, Chair, Sen. Fukunaga, Vice Chair, and Committee Members

This testimony is presented in SUPPORT OF HB2318 HD1. (Unfortunately, none of us can be physically present today due to previous condominium annual meeting commitments.)

Summary of Bill: The bill proposes to exempt planned community associations and condominium associations from the quorum and voting provisions applicable to boards of directors under the Hawaii Nonprofit Corporations Act.

We support the bill as is and agree with the report provided by the House Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs (HB2318_HD1_HSCR635-24) which stated in part:

“Your Committees find that, under the Hawaii Nonprofit Corporations Act, the quorum and voting provisions do not take into account directors who abstain from taking actions based on actual or perceived conflicts of interest. In such cases, the abstention is equivalent to a no vote.

Your Committees further find that, as applied to planned community associations and condominium associations, equating abstentions to no votes would hamper boards of limited size. Boards of directors of planned community associations and condominium associations range in size, with some boards consisting of as little as three members to others consisting of as many as twelve members. This measure would allow planned community associations and condominium associations to have more flexibility in taking actions in the event of any abstentions.”

We request that HB2318 HD1 be approved by the Committee.

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-2318-HD-1

Submitted on: 3/22/2024 4:58:41 PM

Testimony for CPN on 3/28/2024 9:30:00 AM

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

Comments:

Our assoication supports HB2318. Please pass this bill.

Mike Golojuch, Sr., President

HB-2318-HD-1

Submitted on: 3/25/2024 10:44:20 AM

Testimony for CPN on 3/28/2024 9:30:00 AM

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

Comments:

To the Esteemed Members of the Hawaii State Legislature:

I wish to express my support for HB2318 HD1, which addresses a crucial aspect of the Hawaii Nonprofit Corporations Act relating to quorum and voting. This bill rightly exempts planned community and condominium associations from certain quorum and voting requirements, acknowledging the unique operational dynamics of these entities.

This legislation is a step in the right direction, especially considering the challenges condo owners face, often exacerbated by laws shaped by property management agencies, predatory legal practices, and insurance firms. The current system, to some extent, disenfranchises owners, limiting their ability to participate meaningfully in the governance of their associations.

HB2318 HD1 represents an opportunity to alleviate these issues by adapting the regulatory framework to better suit the realities of condo living. It is imperative that lawmakers recognize the plight of condo owners, who have been navigating an environment where their interests are often sidelined.

Supporting this bill would demonstrate a commitment to fair and just governance within condominium associations, ensuring that the voices of all owners are heard and valued. I urge you to consider the positive impact this legislation will have on fostering a more equitable community for condo owners across Hawaii.

Mahalo,

Jessica Herzog
AOAO Makaha SURfside

HB-2318-HD-1

Submitted on: 3/27/2024 7:08:14 AM

Testimony for CPN on 3/28/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rita Wong	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE HB2318 HD1