
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO
CONVENE A TASK FORCE TO CONSIDER THE REGULATION OF MORTGAGE
BROKERS AND SOLICITORS BY THE DIVISION OF FINANCIAL
INSTITUTIONS.

1 WHEREAS, mortgage brokers and solicitors are currently
2 regulated by the Professional and Vocational Licensing Division
3 and the Regulated Industry Complaints Office of the Department
4 of Commerce and Consumer Affairs; and
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6 WHEREAS, the Division of Financial Institutions of the
7 Department of Commerce and Consumer Affairs regulates all other
8 aspects of the mortgage lending and banking industry; and
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10 WHEREAS, the transfer of the regulatory control of the
11 mortgage brokers and solicitors to the Division of Financial
12 Institutions would place all aspects of the mortgage lending
13 industry under one regulatory body; and
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15 WHEREAS, regulation under a single regulatory body will
16 promote fairness and efficiency in governmental operations; now,
17 therefore,
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19 BE IT RESOLVED by the House of Representatives of the
20 Twenty-third Legislature of the State of Hawaii, Regular Session
21 of 2006, the Senate concurring, that the Director of Commerce
22 and Consumer Affairs is requested to convene a Task Force to
23 consider:
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25 (1) Whether there should be a transfer of the regulation
26 of mortgage brokers and solicitors to the Division of
27 Financial Institutions;
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29 (2) The regulatory scheme to be employed if a transfer is
30 recommended; and
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1 (3) Other changes to the existing regulatory scheme if no
2 transfer is recommended; and
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4 BE IT FURTHER RESOLVED that the Legislature requests that
5 the Task Force membership be comprised as follows:
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7 (1) One person designated by the Director of Commerce and
8 Consumer Affairs, representing the Division of
9 Financial Institutions;

10 (2) One person designated by the Director of Commerce and
11 Consumer Affairs, representing the Professional
12 Vocational Licensing Division;

13 (3) One person designated by the Director of Commerce and
14 Consumer Affairs, representing the Regulated
15 Industries Complaints Office;

16 (4) Three persons representing the Hawaii Association of
17 Mortgage Brokers;

18 (5) Three persons representing the Hawaii Bankers
19 Association;

20 (6) Three persons representing the Hawaii Financial
21 Services Association;

22 (7) Three persons representing the Mortgage Bankers
23 Association of Hawaii;

24 (8) Three persons representing the Hawaii Credit Union
25 League;

26 (9) One person representing State Farm Insurance Companies
27 and State Farm Bank;

28 (10) One person representing Primerica Financial Services
29 Home Mortgages, Inc.; and

30 (11) One person representing the Hawaii Association of
31 Realtors; and
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1 BE IT FURTHER RESOLVED that the Director of Commerce and
 2 Consumer Affairs is requested to submit a report to the
 3 Legislature not later than thirty days prior to the convening of
 4 the Regular Session of 2007, containing the findings and
 5 recommendations of the Task Force, including any proposed
 6 legislation that has the unanimous support of the Task Force
 7 members; and

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 9 BE IT FURTHER RESOLVED that the Task Force members are
 10 requested to serve on a voluntary basis and to assume
 11 responsibility for any costs associated with their participation
 12 on the Task Force; and

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 14 BE IT FURTHER RESOLVED that certified copies of this
 15 Concurrent Resolution be transmitted to the Director of Commerce
 16 and Consumer Affairs, the Commissioner of Financial
 17 Institutions, the President of the Hawaii Association of
 18 Mortgage Brokers, the Director of the Hawaii Bankers
 19 Association, the Hawaii Financial Services Association, the
 20 President of the Mortgage Bankers Association of Hawaii, the
 21 Chairperson of the Board of Directors of the Hawaii Credit Union
 22 League, State Farm Insurance Companies and State Farm Bank,
 23 Primerica Financial Services Home Mortgages, Inc., and the
 24 President of the Hawaii Association of Realtors.

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OFFERED BY:

K. L.

[Signature]
J. Lili Kuraunton
Mr. Fouke
 Kiril Caldwell
[Signature]
Nanni Mouri
[Signature]

MAR 15 2006