

Honolulu, Hawaii

, 2009

APR 30 2009

RE: S.B. No. 35
S.D. 1
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 35, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MORTGAGES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to exempt certified public accountants and public accountants, who are already subject to regulation by the Board of Public Accountancy, from the definition of "distressed property consultant" under the Mortgage Rescue Fraud Prevention Act, chapter 480E, Hawaii Revised Statutes.

Under current law, a public accountant or certified public accountant is prevented from performing routine accounting services to assist with financial matters that may arise relating to the foreclosure process. Your Committee finds that, although protection of financially vulnerable homeowners is critical, public accountants and certified public accountants are already subject to regulation



by the Board of Public Accountancy, which supplies adequate protection to consumers of public accounting services through existing licensing standards and disciplinary procedures.

Your Committee has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 35, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 35, S.D. 1, H.D. 1, C.D. 1.

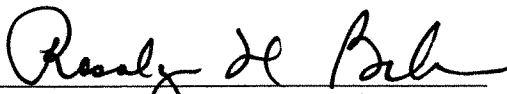
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE


ON THE PART OF THE SENATE



ROBERT N. HERKES, Co-Chair



ROSALYN H. BAKER, Chair



BLAKE K. OSHIRO, Co-Chair



Hawaii State Legislature

CCR 65

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 35, SD 1, HD 1	Date/Time: 4-22-09 2:10 p.
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				HERKES, Robert N., Co-Chr.	✓			
ESPERO, Will				✓	OSHIRO, Blake K., Co-Chr.	✓			
HEMMINGS, Fred	✓				WAKAI, Glenn	✓			
					MARUMOTO, Barbara C.	✓			
TOTAL	2	-	-	1	TOTAL	4	-	-	-

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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