

STAND. COM. REP. NO. 1572

Honolulu, Hawaii

April 7, 2009

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

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 35, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MORTGAGES,"

begs leave to report as follows:

The purpose of this bill is to exempt:

- (1) Certified public accountants (CPAs) licensed and regulated under Chapter 466, Hawaii Revised Statutes (HRS);
- (2) Persons holding a permit to practice public accountancy in Hawaii; and
- (3) Out-of-state CPAs operating under a temporary permit issued by the Board of Accountancy pursuant to Chapter 466, HRS,

from the requirements of the Mortgage Rescue Fraud Prevention Act, Chapter 480E, HRS.

The Department of Commerce and Consumer Affairs, Office of Hawaiian Affairs, and a concerned individual testified in support of this bill. The Hawaii Bankers Association and Legal Aid Society of Hawaii provided comments.

SB35 HD1 HSCR JUD HMS 2009-3621



Your Committee has amended this bill by:

- (1) Changing its effective date to January 1, 2046, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for clarity and style.

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

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



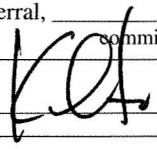
JON RIKI KARAMATSU, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 1572

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB35, SD1	Committee Referral: CRC, JUD	Date: 4/3/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)	✓			
2. ITO, Ken (VC)	✓			
3. BELATTI, Della Au	✓			
4. CABANILLA, Rida	✓			
5. CARROLL, Mele				✓
6. HERKES, Robert N.				✓
7. LUKE, Sylvia	✓			
8. McKELVEY, Angus L.K.				✓
9. MIZUNO, John M.	✓			
10. MORITA, Hermina M.				✓
11. OSHIRO, Blake K.	✓			
12. SOUKI, Joseph M.	✓			
13. TSUJI, Clift	✓			
14. WAKAI, Glenn	✓			
15. MARUMOTO, Barbara C.	✓			
16. THIELEN, Cynthia	✓			
TOTAL (16)	12			4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				