

Honolulu, Hawaii

Feb 26, 2010

RE: S.B. No. 771
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 771, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO APPRAISALS,"

begs leave to report as follows:

The purpose of this bill is to ensure the integrity and reliability of real estate appraisal practices in the state by mandating that licensed real estate appraisers comply with the Uniform Standards of Professional Appraisal Practice when acting as an appraiser or an arbitrator in an arbitration proceeding.

This bill also requires that an arbitration proceeding under the Uniform Arbitration Act (Chapter 658A, Hawaii Revised Statutes) involving a determination of fair market value or rental of real property by an arbitrator who is a licensed appraiser include in its record of award:

- (1) The appraiser's rationale for the award; and
- (2) Information regarding the substantiating evidence for the award.



Citizens for Fair Evaluation and several concerned individuals supported this bill. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs and Appraisal Institute-Hawaii Chapter opposed this bill.

Your Committee has amended this bill by:

- (1) Making it effective upon its approval; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 771, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 771, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HSCR 493.10

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 771, SD1 (SSCR560)	Committee Referral: CPC	Date: February 3, 2010		
<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)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	✓			
2. WAKAI, Glenn (VC)	✓			
3. BELATTI, Della Au			✓	
4. CABANILLA, Rida	✓			
5. CARROLL, Mele				✓
6. ITO, Ken	✓			
7. KARAMATSU, Jon Riki	✓			
8. LUKE, Sylvia			✓	
9. McKELVEY, Angus L.K.	✓			
10. MIZUNO, John M.				✓
11. MORITA, Hermina M.			✓	
12. SOUKI, Joseph M.	✓			
13. TSUJI, Clift	✓			
14. MARUMOTO, Barbara C.		✓		
15. THIELEN, Cynthia	✓			
TOTAL (15)	9	1	3	2
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				