



GOV. MSG. NO. /331

July 12, 2011

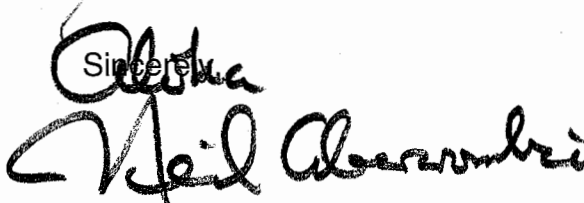
The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

Re: SB975 SD1 HD2 CD1

On July 12, 2011, I intend to allow SB975 SD1 HD2 CD1, entitled "RELATING TO APPRAISALS" to become law as Act 227 (11) without my signature, pursuant to Section 16 of Article III of the State Constitution.

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO APPRAISALS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to require a real
2 estate appraiser to certify compliance with the Uniform
3 Standards of Professional Appraisal Practice when acting as an
4 appraiser or an arbitrator in an arbitration proceeding.

5 SECTION 2. Chapter 466K, Hawaii Revised Statutes, is
6 amended by adding two new sections to be appropriately
7 designated and to read as follows:

8 "§466K- Definitions. For the purposes of this chapter,
9 unless the context otherwise requires:

10 "Arbitrator" means an individual appointed to render an
11 award in a controversy that is subject to an agreement to
12 arbitrate.

13 "Uniform Standards of Professional Appraisal Practice"
14 means the most recent iteration of the Uniform Standards of
15 Professional Appraisal Practice developed by the appraisal
16 standards board of The Appraisal Foundation and approved by the
17 director.

18



1 §466K- Appraisers in arbitration proceedings. In an
2 arbitration proceeding to determine the fair market value, fair
3 market rental, or fair and reasonable rent of real property
4 where the arbitrator is a real estate appraiser licensed under
5 chapter 466K, the record of an award shall include but not be
6 limited to findings of fact; the state-licensed appraiser's
7 rationale for the award; the state-licensed appraiser's
8 certification of compliance with the most current Uniform
9 Standards of Professional Appraisal Practice as approved by the
10 director; and information regarding the evidence, including the
11 data, methodologies, and analysis that provided the basis for
12 the award."

13 SECTION 3. Section 466K-4, Hawaii Revised Statutes, is
14 amended by amending subsection (a) to read as follows:

15 "(a) No person may practice as a real estate appraiser in
16 this State unless that person has been licensed or certified to
17 practice in accordance with this chapter and rules adopted by
18 the director of commerce and consumer affairs pursuant to
19 chapter 91. All real estate appraisers who are licensed or
20 certified to practice in this State shall comply with the
21 current [~~uniform standards of professional appraisal practice~~]
22 Uniform Standards of Professional Appraisal Practice approved by



1 the director when performing appraisals in connection with a
2 federally or non-federally related real estate transaction[-],
3 or certify compliance with the current Uniform Standards of
4 Professional Appraisal Practice in connection with any
5 arbitration proceeding to determine the fair market value, fair
6 market rental value, or fair and reasonable rent of real
7 estate."

8 SECTION 4. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect upon its approval.

APPROVED this day of , 2011

GOVERNOR OF THE STATE OF HAWAII