STAND. COM. REP. NO. 426 -10

Honolulu, Hawaii F:518, 2010

RE: H.B. No. 2132 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 Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 2132 entitled:

"A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES,"

beg leave to report as follows:

The purpose of this bill is to strengthen protections for mortgage consumers by requiring lenders, 45 days prior to initiating foreclosure proceedings, to mail to their mortgagor a notice of default advising the mortgagor of the availability of counseling through federal Department of Housing and Urban Development (HUD) approved counseling agencies, and the toll-free telephone number and website address for information on no-cost mortgage counseling services approved by HUD.

The Legal Aid Society of Hawai'i and ILWU Local 142 supported this bill. Hawaii Bankers Association and Hawaii Credit Union League opposed the bill. The Department of Commerce and Consumer Affairs commented on the measure.

Your Committees find that many homeowners facing foreclosure are unaware of their options, or of where they might go for information and assistance. Providing a homeowner with access to this information in advance of foreclosure proceedings will give the homeowner a better chance of avoiding foreclosure and the loss of their home.



STAND. COM. REP. NO. 4 -10 Page 2

Your Committees have amended this bill to encourage further discussion by changing its effective date to January 1, 2050.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2132, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2132, H.D. 1, and be placed on the calendar for Third Reading.

> Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

JON RIKI KARAMATSU, Chair

HB2132 HD1 HSCR CPC-JUD HMS 2010-1679

ROBERT N. HERKES, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature

HECR 424-10

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 2132	Committee Referral:	PC/JUD Date:	Eeb 4, 2010)			
The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold 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)	1		a contract statistic				
2. WAKAI, Glenn (VC)							
3. BELATTI, Della Au	1						
4. CABANILLA, Rida				-			
5. CARROLL, Mele	/		新生活的 性				
6. ITO, Ken							
7. KARAMATSU, Jon Riki				1			
8. LUKE, Sylvia		-		V			
9. McKELVEY, Angus L.K.							
10. MIZUNO, John M.	-	-3					
11. MORITA, Hermina M.				也不能是是			
12. SOUKI, Joseph M.				1			
13. TSUJI, Clift							
14. MARUMOTO, Barbara C.							
15. THIELEN, Cynthia							
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TOTAL (15)	- 11	Ø	Ø	4			
The recommendation is: Adopted If joint referral, did not support recommendation.							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							

State of Hawaii House of Representatives The Twenty-fifth Legislature

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Record of Votes of the Committee on Judiciary

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Bill/Resolution No.:Committee Referral:Date:HB 2132CPC/JUD2/4/10							
□ The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold							
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)	V,						
2. ITO, Ken (VC)	V						
3. BELATTI, Della Au							
4. CABANILLA, Rida							
5. CARROLL, Mele							
6. HERKES, Robert N.				·			
7. LUKE, Sylvia							
8. McKELVEY, Angus L.K.	V.						
9. MIZUNO, John M.							
10. MORITA, Hermina M.	V						
11. OSHIRO, Blake K.	V _						
12. SOUKI, Joseph M.							
13. TSUJI, Clift				<u> </u>			
14. WAKAI, Glenn							
15. MARUMOTO, Barbara C.							
16. THIELEN, Cynthia							
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			_				
TOTAL (16)	12			4			
The recommendation is: Adopted Image: Not Adopted If joint referral,							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							