

STAND. COM. REP. NO.

447

Honolulu, Hawaii

February 20, 2015

RE: H.B. No. 1098  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which  
was referred H.B. No. 1098 entitled:

"A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR  
ENFORCEMENT FOR MORTGAGE LICENSING ACT,"

begs leave to report as follows:

The purpose of this measure is to raise the target balance  
for the mortgage loan recovery fund and require the commissioner  
of financial institutions to:

- (1) Cease collections of mortgage loan recovery fund fees  
from license renewals once the target balance is  
reached; and
- (2) Adjust and recommence collection of the mortgage loan  
recovery fund fees from license renewals when the fund  
balance falls below a certain threshold.

The Hawaii Association of Mortgage Brokers testified in  
support of this measure and provided amendments. The Commissioner  
of Financial Institutions provided comments on this measure.

Your Committee has amended this measure by:

- (1) Removing language raising the target balance of the  
mortgage loan recovery fund and criteria for ceasing and  
recommencing the collection of fees;

HB1098 HD1 HSCR CPC HMS 2015-1989



- (2) Specifying that the commissioner of financial institutions may cease, adjust the rate of, and recommence collection of fees, without regard to Chapter 91, Hawaii Revised Statutes, to attain the target balance for the mortgage loan recovery fund; and
- (3) 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 H.B. No. 1098, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1098, H.D. 1, and be referred to the Committee on Finance.

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



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ANGUS L.K. MCKELVEY, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

*HSR 447*

**Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.: <b>HB 1098</b>	Committee Referral: <b>CPC, FIN</b>	Date: <b>02/18/15</b>		
<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. McKELVEY, Angus L.K. (C)	✓			
2. WOODSON, Justin H. (VC)	✓			
3. BELATTI, Della Au	✓			
4. BROWER, Tom	✓			
5. CREAGAN, Richard P.	✓			
6. HAR, Sharon E.	✓			
7. HASHEM, Mark J.	✓			
8. KAWAKAMI, Derek S.K.				
9. LEE, Chris	✓			
10. NAKASHIMA, Mark M.	✓			
11. OSHIRO, Marcus R.	✓			
12. SAN BUENAVENTURA, Joy A.	✓			
13. TAKAYAMA, Gregg	✓			
14. YAMANE, Ryan I.	✓			
15. FUKUMOTO CHANG, Beth	✓			
16. MCDERMOTT, Bob	✓			
<b>TOTAL (16)</b>	<b>15</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; margin-left: 100px;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution:   Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				