

Honolulu, Hawaii

January 30, 2014

RE: H.B. No. 1830

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 1830 entitled:

"A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISERS,"

begs leave to report as follows:

The purpose of this measure is to further the goals of transparency and openness in arbitration proceedings regarding appraised valuation in real property transactions by requiring the recording of arbitration awards and related documents with the Bureau of Conveyances.

Several individuals submitted testimony in support of this measure. The Land Use Research Foundation of Hawaii submitted testimony in opposition. Citizens for Fair Valuation submitted comments.

Your Committee has amended this measure by:

- (1) Specifying that records of and related to arbitration awards are public records;
- (2) Clarifying that the recording requirements contained in this measure apply to arbitrators who are named or appointed in a submission agreement to appraise or arbitrate entered into after July 1, 2014;



- (3) Clarifying that recording requirements for records of, and related, to arbitration awards are not avoidable through agreement of the parties or arbitrators;
- (4) Specifying that violation of the recording requirements contained in this measure constitutes a violation for purposes of licensing or certification as a real estate appraiser;
- (5) Changing its effective date to July 1, 2020, to continue further discussion; and
- (6) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1830, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1830, H.D. 1, and be referred to the Committee on Consumer Protection and Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,


CINDY EVANS, Chair



State of Hawaii
House of Representatives
The Twenty-seventh Legislature

Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HB 1830	Committee Referral: WAL, CPC	Date: 1-27-14		
<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)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. EVANS, Cindy (C)	✓			
2. LOWEN, Nicole E. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. HANOHANO, Faye P.	✓			
5. KAWAKAMI, Derek S.K.	✓			
6. LEE, Chris	✓			
7. SAY, Calvin K.Y.	✓			
8. NISHIMOTO, Scott Y.	✓			
9. FALE, Richard Lee				✓
10. THIELEN, Cynthia	✓			
TOTAL (10)	9			1
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: <u>Nicole E. Lowen</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				