

LAWS AND RULES REVIEW COMMITTEE
REAL ESTATE COMMISSION
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii
www.hawaii.gov/hirec

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes.

Date: Wednesday, November 4, 2009

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii

Present: Louis Abrams, Chair, Broker/Kauai Commissioner
Michele Sunahara Loudermilk, Public/Honolulu Commissioner
Carol Ball, Broker/Maui Commissioner
Trudy Nishihara, Broker/Honolulu Commissioner
Annette Aiona, Broker/Hawaii Commissioner
Walt Harvey, Broker/Honolulu Commissioner

Neil Fujitani, Supervising Executive Officer
Jon Ellis Pangilinan, Executive Officer
Diane Choy Fujimura, Senior Real Estate Specialist
Amy Endo, Real Estate Specialist
David Grupen, Real Estate Specialist
Cynthia Yee, Senior Condominium Specialist
Cheryl Leong, Condominium Specialist
Benedyne Stone, Condominium Specialist
Shari Wong, Deputy Attorney General
Tammy Norton, Recording Secretary

Others: Myoung Oh, Hawaii Association of REALTORS®

Absent: Stanley Kuriyama, Broker/Honolulu Commissioner
Frances Gendrano, Vice Chair, Broker/Honolulu Commissioner
Mark Suiso, Public/Honolulu Commissioner

Call to Order: The Chair called the meeting to order at 9:02 a.m., at which time quorum was established.

Chair's Report: The Chair announced that the Committee may move into executive session to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities in accordance with Section 92-5(a)(4), HRS.

Commissioners Suiso, Kuriyama and Gendrano were excused from today's meeting. Prior notice of their non-attendance was received.

SEO's
Report:

The 2010 Real Estate Commission meeting schedule for the months January through June were distributed for informational purposes. It was requested that Commissioners inform staff of any conflicts with the meeting dates.

Minutes of Previous Meetings

Upon a motion by Commissioner Loudermilk, seconded by Commissioner Nishihara, it was voted on and unanimously carried to accept the minutes of the October 14, 2009, Laws and Rules Review Committee meeting as circulated.

Program of
Work, FY10:

Subcommittee on Background Issues and Criminal History Records

Electronic fingerprinting frequently asked questions provided by the Florida Department of Business Professional Regulation was distributed for informational purposes along with a copy of HRS §846-2.7, Criminal history record checks.

Commissioner Ball noted in Florida both its examination services and electronic fingerprinting are contracted by the exam vendor.

Specialist Endo reported that electronic fingerprinting is included in our contract with PSI. If Hawaii was to implement the electronic fingerprinting with PSI, it would only be offered at its Hawaii test locations as not all PSI mainland locations have the capability.

It was reported that the subcommittee on background issues and criminal history records check researched the mechanics of the fingerprinting process which were reported to the Laws and Rules Review Committee at previous meetings.

Commissioner Nishihara noted that if fingerprinting is being conducted by other boards within PVL, it would be ideal for the Real Estate Commission to handle the process in the same manner. In previous meetings it was agreed that the cost of fingerprinting would be borne by the applicant.

Commissioner Loudermilk noted that in reviewing HRS §846-2.7, it appears that currently criminal history record checks may be conducted by DCCA on applicants for private detective or private guard licensure as provided by section 463-9. This is the only board/program affecting PVL noted in HRS §846-2.7.

ARELLO,
Other
Organizations
And
Jurisdictions:

Kentucky Real Estate NEWS

The article entitled "STATUTE CHANGE: License Reciprocity Out And License Recognition In" from the Summer 2009 issue of Kentucky Real Estate NEWS was distributed for informational purposes.

ARELLO Meetings, Workshops, and Reports

Commissioner Nishihara provided an oral report on her participation at the ARELLO Annual Conference held in Miami, Florida in October 2009. She also noted that this meeting is very benefiting to government agencies such as the Hawaii Real Estate Commission.

SEO Fujitani noted that due to budgetary constraints, travel was not approved for this conference. Commissioner Nishihara attended and participated in the conference at her own expense.

Special Issues: No report presented.

Open Forum: None.

Budget and Finance Report: No report presented.

Next Meeting: Wednesday, December 9, 2009
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii'

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:32 a.m.

Reviewed and approved by:

/s/ Neil K. Fujitani

Neil K. Fujitani
Supervising Executive Officer

November 5, 2009

Date

Approved as is.
 Approved with amendments. See minutes of _____ meeting.