

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 271

S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 271, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY,"

begs leave to report as follows:

The purpose of this measure is to enact the Uniform Real Property Electronic Recording Act that would permit the Registrar of the Bureau of Conveyances to accept electronic documents with electronic signatures for recording.

This measure would also:

- (1) Allow the registrar of the Bureau of Conveyances and the Department of Accounting and General Services, upon authorization of the Registrar, to furnish maps or plans in photographic, electronic, or electrostatic form upon receiving a request for maps or plans;
- (2) Allow the registrar of the Bureau of Conveyances to furnish nonattested copies of instruments and documents in photographic, electronic, or electrostatic form upon receiving a request for instruments or documents; and
- (3) Allow the registrar of the Bureau of Conveyances to convert existing information or documents into electronic form.



Your Committee notes that this measure is based on the Uniform Real Property Electronic Recording Act, which has been adopted by eighteen other states and the District of Columbia. This measure will allow the Bureau of Conveyances to become more efficient and up to date in its operations. This measure does not require the Bureau of Conveyances to make any changes to its procedures until it has developed the capacity to do so. This measure allows the Department of Land and Natural Resources to produce digital archives without also being required to produce microfilm records.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to continue the discussions in this matter, since the Bureau of Conveyances has indicated that further amendments may be requested; and
- (2) Making a technical, nonsubstantive amendment.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 271, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 271, S.D. 2.

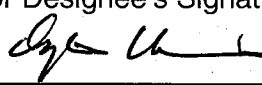
Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
HB271, SD1	CPN, JGO	4/2/2009		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	6	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes