

STAND. COM. REP. NO.

1737

Honolulu, Hawaii

April 19, 2009

RE: S.B. No. 1352
S.D. 2
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 1352, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES,"

begs leave to report as follows:

The purpose of this bill is to reduce the backlog in land court recording and registration by:

- (1) Transferring fee simple time share interest registration from the Land Court System to the Regular System, and authorizing the Registrar of the Bureau of Conveyances (Bureau) to accept, in the Regular System, electronic instruments in lieu of original instruments with original signatures;
- (2) Authorizing the Department of Land and Natural Resources to establish a \$5 transaction fee for services rendered relating to automation; and
- (3) Requiring the Bureau to implement a pilot program for an integrated electronic filing system for electronic recordation of fee time share interests.

The Hawaii Association of REALTORS, Wyndham Worldwide, PAHIO Development, Inc., American Resort Development Association-Hawaii, and Starwood Vacation Ownership supported this bill. A concerned

SB1352 HD2 HSCR FIN HMS 2009-3715



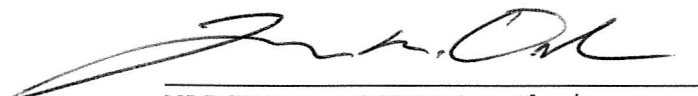
individual opposed this bill. The Department of Land and Natural Resources, Hawaii Government Employees Association, and a concerned individual offered comments.

Your Committee has amended this bill by:

- (1) Allowing owners of land registered in the Land Court System to deregister the land and transfer registration to the Regular System upon submission of a written request including proof of title insurance and a waiver of future title claims against the State;
- (2) Allowing documents to be filed electronically in the Land Court System;
- (3) Deleting the sunset date of the \$5 transaction fee;
- (4) Changing the dates of the two-year pilot program for the electronic recordation of fee time share interests so that it will run from July 1, 2012, to December 31, 2014, rather than from July 1, 2010, to December 31, 2012;
- (5) Changing the effective date to July 1, 2020, to encourage further discussion; and
- (6) Making technical, nonsubstantive changes for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1352, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1352, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Finance,


MARCUS R. OSHIRO, Chair



HSCR1737/d

State of Hawaii
House of Representatives
The Twenty-fifth Legislature

Record of Votes of the Committee on Finance

Bill/Resolution No.: SB 1352, SD2, HD1	Committee Referral: WLO, JUD, FIN	Date: April 6, 2009 <i>Fm</i>		
<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="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)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)	✓			
2. LEE, Marilyn B. (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. AWANA, Karen Leinani	✓			
5. BROWER, Tom	✓			<i>4 M exc</i>
6. CHOY, Isaac W.	✓			
7. COFFMAN, Denny	✓			
8. HAR, Sharon E.	✓			
9. KEITH-AGARAN, Gilbert S.C.	✓			
10. LEE, Chris	✓			
11. NISHIMOTO, Scott Y.	✓			
12. SAGUM, Roland D., III				✓
13. TOKIOKA, James Kunane	✓			
14. WOOLEY, Jessica	✓			
15. YAMASHITA, Kyle T.	✓			
16. PINE, Kymberly Marcos				✓
17. WARD, Gene	✓			
TOTAL (17)	15	0	0	2/2
The recommendation is: <input checked="checked" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <i>Marilyn B. Lee</i>				
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