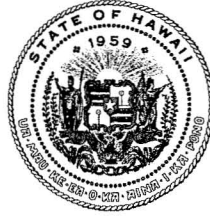
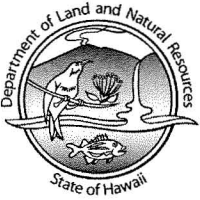


LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the House Committee on
WATER, LAND, & OCEAN RESOURCES**

Monday, March 23, 2009

9:30 AM

State Capitol, Conference Room 325

**In consideration of
SENATE BILL 521, SENATE DRAFT 2
RELATING TO REAL PROPERTY**

Senate Bill 521, Senate Draft 2 proposes that the Registrar of the Bureau of Conveyances (Bureau) be required to provide to the Administrator of the Real Property Assessment Division of the City and County of Honolulu, an image and index of all documents relating to regular system land recorded in the Bureau. Further, this information is to be provided within ten days of the week of recording and without charge. The Department of Land and Natural Resources (Department) is opposed to this bill.

Currently, the Registrar has been meeting with the Administrator of the Real Property Assessment Division of the City and County of Honolulu to develop a process of transmitting the images and index information. Even though the Bureau does not require the tax map key numbers to be captured, the City and County of Honolulu requests the tax map key number to be included with the index information. In an effort to work toward a common goal of providing information to the City and County of Honolulu, the staff of the Bureau has begun inputting the tax map key numbers.

The Department believes this is unnecessary legislation. The Registrar of the Bureau of Conveyances and the Administrator of the Real Property Assessment Division of the City and County of Honolulu should be able to accomplish this transfer of information through a continued effort of working together to achieve this goal.

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

DEPARTMENT OF BUDGET AND FISCAL SERVICES
CITY AND COUNTY OF HONOLULU

REAL PROPERTY ASSESSMENT DIVISION
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MUFI HANNEMANN
MAYOR



RIX MAURER III
DIRECTOR

MARK K. OTO
DEPUTY DIRECTOR

GARY T. KUROKAWA
ADMINISTRATOR

March 20, 2009

Honorable Ken Ito
State House, 48th House District
Hawaii State Capitol, Room 420
415 South Beretania Street
Honolulu, Hawaii 96813

RE: S.B. 521 S.D. 2 - Relating to Real Property, Proposed S.D. 3 Amendment

The City and County of Honolulu respectfully submits for your consideration a proposed S.D. 3 amendment to S.B. 521 S.D. 2.

Currently, the language of S.B. 521 S.D. 2 requires the real property assessment administrator of the City and County of Honolulu to provide copies of the images received from the registrar of conveyances in the Bureau of Conveyances to the other counties without charge. State legislation that requires the counties to take any action is an erosion of the counties' home rule powers. The proposed S.D. 3 amendment will accomplish the dissemination of the images to all the counties guaranteed by S.D. 2, but without undermining the counties' ability to self-govern.

Moreover, the process envisioned by this proposal would also ensure consistent delivery of documents vital to the counties' property assessment programs, and more importantly, provide the counties the means to accurately and timely determine real property tax assessments, and reduce the cost to taxpayers.

We respectfully urge you to approve this proposed amendment.

Thank you for your support and if you have any questions, please call me at 768-7901 or by email at gkurokawa@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary T. Kurokawa".

Gary T. Kurokawa
Administrator
Real Property Assessment Division

GTK:dw

Proposed S.D. 3

HOUSE OF REPRESENTATIVES
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

S.B. NO. 521
S.D. 2

A BILL FOR AN ACT

RELATING TO REAL PROPERTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The purpose of this Act is to enable the counties to promptly track property ownership, encumbrances, restrictions, uses, and sales prices for purposes to accurately determine real property tax assessments by requiring the registrar of conveyances in the bureau of conveyances to provide, within ten days after each week and free of charge, an image and index of all instruments and documents that have been recorded in the registrar's office that week relating to regular system land in all the counties to the county designated in a memorandum of understanding agreed upon by the counties to act as a central clearinghouse to provide copies of the images to the other counties without charge.

Section 2. Section 502-26 Hawaii Revised Statutes, is amended to read as follows:

“§502-26 **Copies of instruments, certificates.** (a) The registrar, when applied to, shall furnish an attested copy of any instrument or document recorded in the registrar's office, or of any fact appearing upon the registrar's records. The registrar may

also issue nonattested portions of any instrument or document recorded in the registrar's office. The registrar may issue certificates of search or encumbrance when personnel is available for the making of the certificate.

(b) Within ten days after the end of each week, the registrar shall deliver or forward by mail or electronic transmission, and without charge, an image and index of all instruments or documents that have been recorded in the registrar's office during each week relating to land in all the counties, to the county designated to act as a central clearinghouse in a memorandum of understanding agreed upon by the counties with the proviso that the delivery of the images and index by the central clearinghouse to the other counties shall be without charge. The index shall include the following for each instrument:

- (1) Document number;
- (2) Certificate number;
- (3) Date of filing;
- (4) Type of document;
- (5) Names of the grantor and grantee;
- (6) Current tax map key number, and
- (7) Location of the real property by island."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon approval.