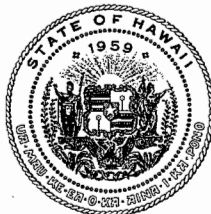
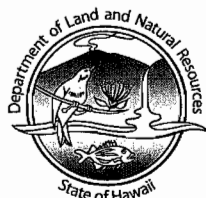


LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the Senate Committees on
COMMERCE AND CONSUMER PROTECTION
and
ECONOMIC DEVELOPMENT AND TECHNOLOGY**

**Wednesday, February 18, 2009
10:00 AM
State Capitol, Conference Room 229**

**In consideration of
SENATE BILL 955
RELATING TO FILINGS IN THE BUREAU OF CONVEYANCES**

Senate Bill 955 would authorize the Registrar and Assistant Registrar of the Bureau of Conveyances (Bureau) and the Office of the Assistant Registrar to accept electronic instruments in lieu of original instruments with original signatures. The Department of Land and Natural Resources (Department) strongly supports this Administration measure as a means to facilitate the recording process and improve delivery of information to the general public.

Presently, the Bureau and the Office of the Assistant Registrar accepts only original paper instruments with original signatures for recordation in the Regular System and the Land Court System. This bill will allow the Bureau and the Office of the Assistant Registrar to accept electronic documents for recordation once the Bureau and the Office of the Assistant Registrar have the capabilities to do so and the Department adopts rules specifying the format of acceptable electronic documents. An electronic cover sheet will be required to be filed together with the electronic document that will allow for faster indexing of documents.

This bill will allow for faster and better processing of documents to be recorded at the Bureau and at the Office of the Assistant Registrar. Recording entities on the neighbor islands will be able to record documents electronically with the Bureau and the Office of the Assistant Registrar without the need to mail or courier documents to Honolulu.

Further, the electronic filing would be offered first to businesses and other recording entities that are familiar with the recording requirements. These businesses will be held accountable for ensuring that the documents are appropriately executed and acknowledged. An agreement acknowledging the suitability for electronic recording between the business and the Bureau would be required to participate in electronic recording.

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

HAWAII LAND TITLE ASSOCIATION
C/O 1100 Alakea Street, Suite 501
Honolulu, Hawaii 96813

LATE

TO: Committee on commerce and Consumer Protection
Senator Rosalyn H., Baker, Chair
Senator David Y. Ige, Vice Chair

Committee on Economic Development and Technology
Senator Carol Fukunaga, Chair
Senator Rosaly H. Baker, Vice Chair

DATE: Wednesday, February 18, 2009
Conference Room 229
10:00 a.m.

Testifier: Hawaii Land Title Association
Hawaii Escrow Association
Denise M. Kaehu, President

RE: SB 955 RELATING TO REAL PROPERTY

Chairs Baker and Fukunaga and Member of the Committees:

We strongly support SB 955 with regards to the Bureau of Conveyances being able to accept for recordation and electronic instrument in lieu of an original instrument with original signatures subject to the any rules and requirements to be adopted. We also support the elimination of microfilm to avoid unnecessary duplication of other processes currently in place. To be able to record in an electronic format is the wave of the future and Hawaii needs to be prepared to accept documentation for recordation in this format. Our Bureau of Conveyances has long been in need of upgraded computer systems and technology to keep the pace with mainland progress in this regard.