

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
FINANCE

Thursday, March 30, 2017
2:00 P.M.
State Capitol, Conference Room 308

In consideration of
SENATE BILL 987, SENATE DRAFT 1, HOUSE DRAFT 1
RELATING TO RECORDATION TRANSACTION FEES

Senate Bill 987, Senate Draft 1, House Draft 1 proposes to amend Act 120, Session Law of 2009 (Act 120), to: 1) apply the \$5 transaction fee now being collected on each recording in the Bureau of Conveyances (Bureau) to include collection on each filing in the Land Court; 2) expanding the uses of this transaction fee for records management improvements; and 3) clarifying the repeal date. **The Department of Land and Natural Resources (Department) strongly supports this Administration measure.**

Act 120 intended to provide the necessary funding to correct serious shortcomings at the Bureau identified by the Joint Legislative Investigative committee under Senate Concurrent Resolution No. 226 (2007). To date, as a result of the Act, the Bureau has significantly improved the automation and integrity of the recording process, establishing web and digital access to parts of the Bureau's database and records, and created the portal and process for the electronic recording of documents. Future key improvement projects include completing digitizing, protecting and accessibility to the Bureau's records and maps, enhancing the Land Records Management System that processes an estimated 325,000 documents recorded annually, and establishing a critical disaster recovery plan that can continue the Bureau's operation in times of an emergency.

This bill proposes to expand the source and authorized use of these transaction funds to address many of the evolving issues that the Bureau now faces: improving digitization; resolving critical operational shortfalls with the current Land Records Management System; improving workflow processes for both daily and historical records certification; and preserving physical records.

Additionally, this bill proposes to clarify repeal on the earlier to occur of a designated sunset date or the date a transaction fee is established in the Bureau's administrative rules.

Thank you for the opportunity to comment on this measure.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
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630 SOUTH BERETANIA STREET
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March 30, 2017

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ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.
Deputy Manager and Chief Engineer *EW*

The Honorable Sylvia Luke, Chair
and Members
Committee on Finance
House of Representatives
Hawaii State Capitol, Room 306
Honolulu, Hawaii 96813

Dear Chair Luke and Members:

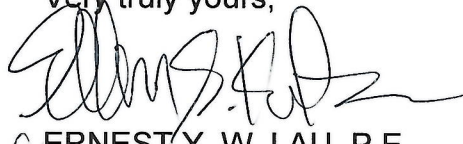
Subject: Senate Bill 987, SD1, HD1 Relating to Recordation Transaction Fees

We support Senate Bill 987, SD1, HD1. This measure will allow the Bureau of Conveyances (BOC) and the Office of the Assistant Registrar (OAR) of the Land Court to continue the improvements started under Act 120, Session Laws of Hawaii 2009; further BOC's digitization, preservation and automation efforts for recorded documents and maps regarding property ownership in the State of Hawaii; support the modernization of BOC and OAR systems and operations and to increase accessibility to public records.

As BOC is the State's only office that is responsible for all property ownership documents and maps, it is imperative that proper funding be provided so that BOC can continue to fulfill its mission of providing timely, accurate, permanent and accessible recordings of documents and maps.

Thank you for your consideration of our testimony on Senate Bill 987, SD1, HD1.

Very truly yours,


ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice Chair
Members of the House of Representatives Committee on Finance

Conference Room 308, State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: S.B. 987, SD1, HD1, Relating to Recordation Transaction Fees

HEARING: Thursday, March 30, 2017, at 2:00 p.m.

Dear Chair Luke, Vice Chair Cullen and members of the House of Representatives
Committee on Finance,

My name is Jessica Hogan and I am a member of the Hawaii Library Association.

I am testifying in support of S.B. 987, SD1, HD1

This bill will allow the Bureau of Conveyances (Bureau) to continue the improvements started under Act 120 and to further their digitization, preservation and automation efforts for recorded documents as well as to support the modernization of the Bureau's systems, operations and increased accessibility to the public records. Being the State's only recording office which is responsible for all documents regarding property ownership in the State of Hawaii, it is imperative that proper funding that this bill can provide is continued to ensure the Bureau's mission of timely, accurate, permanent and accessible recordings of documents and maps for the entire State.

Thank you very much for the opportunity to provide testimony in support of this measure.

Jessica Hogan, Librarian
Hawaii Library Association Member
jessapo@hotmail.com
808-208-1964

The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice Chair
Members of the House of Representatives Committee on Finance

Conference Room 308, State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: S.B. 987, SD1, HD1, Relating to Recordation Transaction Fees

HEARING: Thursday, March 30, 2017, at 2:00 p.m.

Dear Chair Luke, Vice Chair Cullen and members of the House of Representatives
Committee on Finance,

My name is Diana Allen, Counsel at First American Title Company, Inc.

I am testifying in support of S.B. 987, SD1, HD1

This bill will allow the Bureau of Conveyances (Bureau) to continue the intended technological, operational and physical improvements started under Act 120. We support the further modernization of Hawaii's recording system and both systems (Land Court and Regular system) having the ability to handle all recordings electronically. This bill would provide funding which would allow for a streamlined the recording system, the preservation of vital records and increased efficiencies for the Bureau and the general public. Additionally, the general public would benefit from simplified, consistent fee structures between the two systems.

Thank you very much for the opportunity to provide testimony in support of this measure.

Diana Allen, First American Title Company, Inc.
Diallen@firstam.com
808-206-8469



Title Guaranty of Hawaii, Inc.

235 QUEEN STREET, HONOLULU, HI 96813 • P.O. Box 3084, HONOLULU, HI 96806
LEGAL DEPARTMENT TEL: (808) 533-5842 • FAX: (808) 521-0287

March 28, 2017

The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J. K. Cullen, Vice Chair
Members of the House Committee On Finance
Conference Room 308, State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Re: Hearing Date: Thursday, March 30, 2017 at 2:00 p.m.
Testimony IN SUPPORT of Senate Bill 987, SD1, HD1 Relating To Recordation
Transaction Fees

Dear Chair Luke, Vice-Chair Cullen, and Members of the House Committee on Finance:

Thank you very much for considering this testimony in support of Senate Bill 987.

The important public purpose of Senate Bill 987 is to implement additional funding to the Bureau of Conveyances to continue the modernization of its technology to improve its record-keeping capabilities and efficiency of the recording systems. We support these efforts.

We very much appreciate your consideration of this measure, and respectfully request that your Committee vote in favor of the Bill. Thank you again.

Respectfully submitted,

Lorrin Hirano, Sr. Vice President

The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice Chair
Members of the House of Representatives Committee on Finance

Conference Room 308, State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: S.B. 987, SD1, HD1, Relating to Recordation Transaction Fees

HEARING: Thursday, March 30, 2017, at 2:00 p.m.

Dear Chair Luke, Vice Chair Cullen and members of the House of Representatives
Committee on Finance,

My name is William Turner. As someone who works in the Hawaii title industry, I am
testifying in support of S.B. 987, SD1.

As with earlier this month, I am testifying in support of S.B. 987, SD1, HD.

This bill will allow the Bureau of Conveyances (Bureau) to continue the improvements
started under Act 120 and to further their digitization, preservation and automation
efforts for recorded documents as well as to support the modernization of the Bureau's
systems, operations and increased accessibility to the public records. Being the State's
only recording office which is responsible for all documents regarding property
ownership in the State of Hawaii, it is imperative that proper funding that this bill can
provide is continued to ensure the Bureau's mission of timely, accurate, permanent and
accessible recordings of documents and maps for the entire State.

Thank you very much for the opportunity to provide testimony in support of this
measure.

William Turner
Data Quality Analyst
Data Trace
733 Bishop Street, Suite 1565
Honolulu, HI 96813

808.638.4958 Direct
808.524.5013 Office
808.528.3363 Fax
wturner@edatatrace.com

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 29, 2017 10:10 AM
To: FINTestimony
Cc: marybetsybithkaulana@gmail.com
Subject: *Submitted testimony for SB987 on Mar 30, 2017 14:00PM*

SB987

Submitted on: 3/29/2017

Testimony for FIN on Mar 30, 2017 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Delos Santos	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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The Honorable Representative Sylvia Luke, Chair
The Honorable Representative Ty J.K. Cullen, Vice Chair
Members of the House of Representatives Committee on Finance

Conference Room 308, State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: S.B. 987, SD1, HD1, Relating to Recordation Transaction Fees

HEARING: Thursday, March 30, 2017, at 2:00 p.m.

Dear Chair Luke, Vice Chair Cullen and members of the House of Representatives
Committee on Finance,

I am Annie Thomas, a librarian at Kapi'olani Community College and feel it is essential to support the digitization and preservation of public land records held by the Bureau of Conveyances.

I am testifying as an individual in support of S.B. 987, SD1, HD1

This bill will allow the Bureau of Conveyances (Bureau) to continue the improvements started under Act 120 and to further their digitization, preservation and automation efforts for recorded documents as well as to support the modernization of the Bureau's systems, operations and increased accessibility to the public records. Being the State's only recording office which is responsible for all documents regarding property ownership in the State of Hawaii, it is imperative that proper funding that this bill can provide is continued to ensure the Bureau's mission of timely, accurate, permanent and accessible recordings of documents and maps for the entire State.

Thank you very much for the opportunity to provide testimony in support of this measure.

As a concerned citizen,
Annie Thomas
2721-C Anuenue St.
Honolulu, HI 96822

The Honorable Representative Ryan Yamane, Chair
The Honorable Representative Sam Kong, Vice Chair
Members of the House of Representatives Committee on Water and Land

Conference Room 325, State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

RE: S.B. 987, SD1. Relating to Recordation Transaction Fees

HEARING: Wednesday, March 15, 2017, at 10:30 a.m.

Dear Chair Yamane, Vice Chair Kong, members of the House of Representatives
Committee on Water and Land,

My name is Linda Sasaki and have been title searching for about 40 years and currently employed by the
Honolulu Board of Water Supply, Land Division, as an Abstractor II.

I am testifying in support to S.B. No. 987, SD1.

Whenever something is wonderfully great, everyone wants a “piece of the action.” That “wonderfully great” is the State of Hawaii or more specifically Hawaii lands. In my 40 years of title searching I have witness many events involving getting that “piece of the action.” Whether they are large corporations, private individuals/investors or obscure descendants of Hawaiian title, the Bureau of Conveyances is the only record source available to resolve this.

The duty of the State of Hawaii Bureau of Conveyances to the public is paramount to maintain and preserve that accuracy and accessibility. I have experienced the pages of the old Grantor/Grantee books falling out and wondered and feared the possibility of missing pages. I’ve also witnessed a distraught and offended person, searching her family title, try to tear out a page for a perceived “misinformation” but was thankfully prevented by a watchful State worker.

When the current Bureau of Conveyance first opened there was enough space for work tables and easy access to the books. The heavy large books are mounted on roller shelves, for easy pull out, has now fallen into disrepair. Coupled with the loss of space, due to the storing of more information, some of these shelves are located, at most, a 2 feet distance from people sitting at the computer stations or standing work tables - a safety hazard and an accident waiting to happen. I’ve fumbled and dropped these books, located on the top shelves, on my head a few times trying to leverage out the higher placed books without accidentally dropping it on the seated person.

These books and their pages have gotten a bit warped and ragged due to wear and tear and the many decades that the public would generously lick their fingers to turn the pages – a sanitary problem at most? They become even more damaged because they’ve gotten thicker, the covers torn and misshapen due to the public forcefully stuffing them back into the shelves.

Digitization and automation and the continual update and improvement of the Bureau of Conveyances would resolve the permanent preservation, accuracy and **safe and easy** accessibility of the land title records and the maps for the State of Hawaii

Thank you very much for the opportunity to provide testimony in support of this measure.

Linda Sasaki
Lsasaki2@hbws.org

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 29, 2017 10:25 AM
To: FINTestimony
Cc: jasfcartw@gmail.com
Subject: *Submitted testimony for SB987 on Mar 30, 2017 14:00PM*

SB987

Submitted on: 3/29/2017

Testimony for FIN on Mar 30, 2017 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
James F. Cartwright	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 29, 2017 12:14 PM
To: FINTestimony
Cc: hkanehailua@ortc.com
Subject: *Submitted testimony for SB987 on Mar 30, 2017 14:00PM*

SB987

Submitted on: 3/29/2017

Testimony for FIN on Mar 30, 2017 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Harry Kanehailua	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 29, 2017 1:22 PM
To: FINTestimony
Cc: linda.w.hee.ctr@mail.mil
Subject: Submitted testimony for SB987 on Mar 30, 2017 14:00PM

SB987

Submitted on: 3/29/2017

Testimony for FIN on Mar 30, 2017 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Hee	Individual	Support	No

Comments: They are doing wonderful work preserving and archiving our valuable land records.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 29, 2017 3:21 PM
To: FINTestimony
Cc: 2kahaualea@gmail.com
Subject: *Submitted testimony for SB987 on Mar 30, 2017 14:00PM*

SB987

Submitted on: 3/29/2017

Testimony for FIN on Mar 30, 2017 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kylee Mar	Individual	Support	No

Comments:

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