

STAND. COM. REP. NO. 16

Honolulu, Hawaii

FEB 04 2019

RE: S.B. No. 898  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.B. No. 898 entitled:

"A BILL FOR AN ACT RELATING TO LAND RECORDATION,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the data requirements for land recordation by the Bureau of Conveyances, on land other than fee simple time share interests deregistered by the Land Court, to include a plan of the parcel and a map and description prepared by a licensed professional surveyor.

Your Committee received testimony in support of this measure from the Hawaii Land Surveyors Association and eight individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that there are no clear requirements or standards for the mapping and describing of deregistered lands; therefore, land owners who voluntarily deregister their property from the Land Court registration system may not be in possession of a proper map and legal description of their land. This measure seeks to amend existing land deregistration laws to ensure that deregistered lands have the proper documentation describing their original land titles, encumbrances, and rights that is expected of every other piece of land not registered in the Land Court.

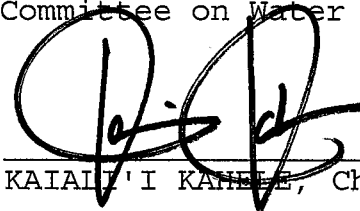


Your Committee has amended this measure by:

- (1) Inserting language to require the Assistant Registrar to refer the map and description of parcels sought to be deregistered to the State Land Surveyor for approval prior to recording the written request for deregistration, cancelling the certificate of title, and recording the plan;
- (2) Requiring the Assistant Registrar to also include the land court consolidation number in the notation of the recordation and cancellation of the certificate of title;
- (3) Requiring the Assistant Registrar to transmit notation of the recordation and cancellation to the Registrar of the Land Court in addition to the State Land Surveyor;
- (4) Deleting the requirement that every plan of deregistered land filed by the Registrar contain an order of deregistration;
- (5) Inserting a savings clause; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 898, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 898, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Water and Land,



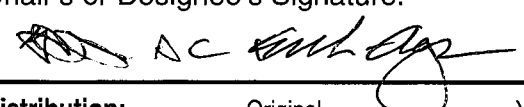
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KAI'I I KANELE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 898	WTL, JDC	01-30-19
<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 checked="" type="checkbox"/> Pass, unamended <span style="margin-left: 100px;"><input checked="" type="checkbox"/> Pass, with amendments</span> <span style="margin-left: 100px;"><input type="checkbox"/> Hold</span> <span style="margin-left: 100px;"><input type="checkbox"/> Recommit</span> <span style="font-size: small;">2312 <span style="margin-left: 100px;">2311</span> <span style="margin-left: 100px;">2310</span> <span style="margin-left: 100px;">2313</span></span>		
Members	Aye	Aye (WR)
Nay	Excused	
KAHELE, Kaiali'i (C)	X	
KEITH-AGARAN, Gilbert S.C. (VC)	X	
NISHIHARA, Clarence K.	X	
RIVIERE, Gil	X	
FEVELLA, Kurt		X
<b>TOTAL</b>	4	1
Recommendation: <input checked="" type="checkbox"/> Adopted <span style="margin-left: 200px;"><input type="checkbox"/> Not Adopted</span>		
Chair's or Designee's Signature: 		
<b>Distribution:</b> <span style="margin-left: 50px;">Original</span> <span style="margin-left: 100px;">Yellow</span> <span style="margin-left: 100px;">Pink</span> <span style="margin-left: 100px;">Goldenrod</span> <span style="font-size: small;">File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy</span>		

\*Only one measure per Record of Votes