

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
JUDICIARY**

**Thursday, February 14, 2019
2:05 PM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 448, HOUSE DRAFT 1
RELATING TO LAND RECORDATION**

House Bill 448, House Draft 1 proposes to specify that the data requirements for land recordation by the Bureau of Conveyances (Bureau), on land other than fee simple timeshare interests deregistered by the land court, shall include a map and description prepared by a licensed surveyor. **The Department of Land and Natural Resources appreciates the intent of this measure and offers the following comments.**

Although the Bureau understands and supports the need for better map data for deregistered land parcels, we raise some questions on the statutory accuracy and the actual flow of this re-described process and the confusion it could create for the public as well as Bureau personnel. These questions have been shared with the Hawaii Land Surveyors Association and we look forward to the appropriate revisions of this billon.

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

ROBERT K. MASUDA
FIRST DEPUTY

DEAN D. UYENO
ACTING 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

Representative Ryan I. Yamane, Chair
Representative Chris Todd, Vice Chair
Committee On Water, Land & Hawaiian Affairs



From: Meyer Cummins, LPLS

Date: Thursday, February 14, 2019

Subject: In Favor of HB 448 HD1 relating to Land Recordation

Honorable Representative Ryan I. Yamane, Chair, Honorable Representative Chris Todd, Vice Chair, and members of the Committee On Water, Land & Hawaiian Affairs

Thank you for allowing me to testify in favor of House Bill 448.

My name is Meyer Cummins and I am a land surveyor licensed to practice in the State of Hawaii. I am also the Vice President of the Hawaii Land Surveyors Association which represents a majority of the licensed land surveyors in the State.

I stand by my previously submitted testimony in favor of HB 448. While the bill has had some questions and comments from the Bureau of Conveyances (BOC), HLSA has submitted to the Committee On Water, Land & Hawaiian Affairs a revised bill with language to address the BOC's concerns. HLSA has also submitted the revised bill to the registrar of the BOC, Les Kobata, and we have yet to receive his comments regarding the changes. HLSA is working in good faith with the BOC to assure them that the bill will not negatively impact their operations and will correct the important issues of title ambiguity and proper land documentation currently associated with Land Court Deregistration.

Mahlo nui for this opportunity to testify. Should you have any questions, I can be reached at (808)294-3051 and I will make myself available for questions.

Meyer Cummins, LPLS

Representative Chris Lee, Chair
Representative Joy San Buenaventura, Vice Chair
House Judiciary Committee
HB448 HD1



Relating to Land Recordation

From: Karl Nishio, President, Hawaii Land Surveyors Association

I am writing in support of H.B. 448. It will allow a means to rectify some of the inadequacies set forth in HRS 501-261.5, helping provide more oversight and a check of correctness of information when de-registering Land Court properties. It provides a means for the State Survey office to have a current status of the lands as they are the purveyors of such information for registered lands.

Our members of the association have been opposed to de-registration at its onset but have accepted it is the current state of being although it presents challenges to the land surveying profession. As it appears now, more burden has been placed upon the survey professional to ascertain title/ownership of a subject property and complicates matters in mapping and descriptions.

This bill will help keep the information necessary for land matters in an organized and traceable manner to be more beneficial for the public and professional community.

Thank you for your time and consideration with this.

Karl Nishio
President
Hawaii Land Surveyors Association

Representative Chris Lee, Chair
Representative Joy San Buenaventura, Vice Chair
House Judiciary Committee
HB448 HD1



Relating to Land Recordation

Testimony by Joanne Williamson, LPLS
Affiliations: Hawaii Licensed Professional Land Surveyor
National Society of Professional Surveyors, Hawaii Director
Senior Land Surveyor, Hawaiian Electric Company
(808) 436-6725

February 14, 2019
2:05 PM
Room 325

Thank you for allowing my testimony in strong support of HB448 HD1.

My name is Joanne Williamson and I am a Licensed Professional Land Surveyor and Land Court Land Surveyor, having been in the surveying profession for the past twenty-five (25) years in the State of Hawaii.

Surveyors are tasked with writing property descriptions based on their professional expertise in discerning the boundaries, as well as identifying the land title, of the land being described. The surveying profession requires both a working knowledge of Hawaiian land history and current legislation and regulatory processes. Additionally a professional surveyor has a mandate is to guard the integrity of land boundaries for the public which we serve.

HB448 HD1 supports the public interest in what is often the most substantial investment they will ever make. It perpetuates the continuity of Hawaiian land title moving forward, and augments the existing deregistration process so that registered land title is clearly transferred to its original status. It also addresses the inherent ambiguity created by the original deregistration legislation by using existing mapping processes at the State Survey office, which will save both time and expense for future land owners of these lands.

Thank you for your consideration.

HB-448-HD-1

Submitted on: 2/14/2019 8:16:31 AM

Testimony for JUD on 2/14/2019 2:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
clayton kaneshiro	Individual	Support	No

Comments:

Rep. Chris Lee, Chair

Rep. Joy A. San Buenaventura, Vice Chair

Thank you for allowing me to submit testimony supporting HB 448. I am a licensed surveyor and Land Court surveyor. I have been in the surveying profession for over 28 years. 17 of those years were with the State Land Survey Division and I feel this is a necessary procedure to ensure the welfare of the property owner. Once an owner deregisters the property from Land Court, it is no longer guaranteed clear title and is recorded in the "regular" system. In doing so, the original land title should be identified, as the Land Court does not create nor replace original land titles. This bill will address the ambiguity created by the original deregistration process and ensure the continuity of land title to the property.

Thank you,

Clayton Kaneshiro, LPLS