

Honolulu, Hawaii

FEB 07 , 2024

RE: H.B. No. 2611
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2611 entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE FEES,"

begs leave to report as follows:

The purpose of this measure is to, beginning January 1, 2025:

- (1) Statutorily establish a transaction fee for each recording by the Bureau of Conveyances and Land Court for certain services;
- (2) Authorize the Board of Land and Natural Resources to adopt, amend, or repeal certain administrative fees, separate from the administrative rulemaking process;
- (3) Amend the authorized uses of funds in the Bureau of Conveyances Special Fund; and
- (4) Repeal provisions that require fees for the use of microfilms of documents recorded in the Bureau of Conveyances to be established by rules.

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



Your Committee finds that the Bureau of Conveyances has significantly improved the automation and integrity of the recording process, established 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 as a result of Act 120, Session Laws of Hawaii 2009. This measure will expand the authorized uses for transaction-fee monies to address many of the evolving issues that the Bureau of Conveyances faces, particularly with the ongoing shortage of workers.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 3000, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to consider whether the amending of fees should be accomplished through the administrative rulemaking process pursuant to chapter 91, Hawaii Revised Statutes, or through the Board of Land and Natural Resources separate from that process.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2611, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2611, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



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


LINDA ICHIYAMA, Chair



