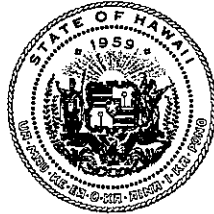
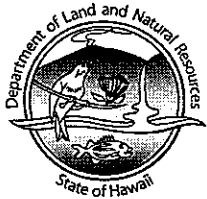


LINDA LINGLE
GOVERNOR OF HAWAII



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

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**TESTIMONY OF THE CHAIRPERSON OF THE
BOARD OF LAND AND NATURAL RESOURCES**

**Senate Concurrent Resolution 232 - REQUESTING THE LEGISLATIVE BUREAU TO
INVESTIGATE AND DEVELOP FEASIBILITY AND IMPLEMENTATION MODELS
REGARDING MERGING THE LAND COURT AND REGULAR SYSTEMS, REASSIGNING
THE BUREAU OF CONVEYANCES TO ANOTHER STATE DEPARTMENT, AND
PRIVATIZING CERTAIN FUNCTIONS OF THE BUREAU OF CONVEYANCES**

**BEFORE THE SENATE COMMITTEE
ON WAYS AND MEANS**

April 4, 2008

Senate Concurrent Resolution 232 requests the Legislative Reference Bureau to investigate and develop feasibility and implementation models regarding merging the Land Court and Regular Systems, reassigning the Bureau of Conveyances (Bureau) to another state department, and privatizing certain functions of the Bureau. The Department of Land and Natural Resources (Department) does not agree that another study is necessary in light of past studies that have been conducted by the Office of the Legislative Auditor and by Ho'ike Consulting that contained similar recommendations.

The Department instead, strongly supports contents of the Administration's proposal, House Bill 3171 Relating to the Land Court System that allows timeshare transactions to be recorded only in the regular system and to allow land owners to opt out of the Land Court system and the House Draft 2 of House Bill 2302, Relating To Real Property, that allows the Bureau to accept documents in an electronic format and to archive documents in a digital format. The Department strongly urges agreement by the Senate and the House of Representatives to change the law to improve the operations of the Bureau.

An additional study will only result in further delays and will adversely



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Hawaii Government Employees Association
AFSCME Local 152, AFL-CIO

The Twenty-Fourth Legislature, State of Hawaii
Hawaii State Senate

Committee on Ways and Means

Written Testimony by
Hawaii Government Employees Association – HGEA/AFSCME, Local 152
April 4, 2008

SCR 232 - REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO INVESTIGATE AND DEVELOP FEASIBILITY AND IMPLEMENTATION MODELS REGARDING MERGING THE LAND COURT AND REGULAR SYSTEMS, REASSIGNING THE BUREAU OF CONVEYANCES TO ANOTHER STATE DEPARTMENT, AND PRIVATIZING CERTAIN FUNCTIONS OF THE BUREAU OF CONVEYANCES.

The Hawaii Government Employees Association would like to provide the following comments regarding SCR 232.


We agree that the Bureau of Conveyances can and should be a more efficient, effective, and accountable government operation. Our past experience and involvement in the various issues affecting our union members are certainly a strong indication that the Department of Land and Natural Resources is in need of assistance if they are to properly address the problems that exist in the Bureau of Conveyances.

With this in mind, even though we are not convinced that these are viable options to assist the Bureau's operations, we don't object to a Legislative Reference Bureau (LRB) study and investigation into the feasibility and impact of combining the Land Court and Regular System into a unified system of recordation or a study into the advisability of moving the Bureau of Conveyances into another department within the executive branch or to the judicial branch of state government.

We do, however, strongly oppose looking into the privatization of certain functions of the Bureau. We are convinced that privatizing the Bureau of Conveyances is not the means to a more efficient and effective government operation. We truly believe the privatization of services will result in a less efficient and less effective recordation process that will actually cost taxpayers more money and lead to less public accountability.

Thank you for the opportunity to provide testimony on this resolution.

Respectfully submitted,

 Nora A. Nomura
Deputy Executive Director

Ken H. Takayama
Acting Director

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LEGISLATIVE REFERENCE BUREAU
State of Hawaii
State Capitol
Honolulu, Hawaii 96813

Written Comments Only

SCR232

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO INVESTIGATE AND DEVELOP FEASIBILITY AND IMPLEMENTATION MODELS REGARDING MERGING THE LAND COURT AND REGULAR SYSTEMS, REASSIGNING THE BUREAU OF CONVEYANCES TO ANOTHER STATE DEPARTMENT, AND PRIVATIZING CERTAIN FUNCTIONS OF THE BUREAU OF CONVEYANCES

Comments by the Legislative Reference Bureau
Ken H. Takayama, Acting Director

Presented to the Senate Committee on Ways and Means,

Friday, April 4, 2008, 10:05 a.m.
Conference Room 211

Chair Baker and Members of the Committee:

Thank you for this opportunity to comment on S.C.R. No. 232. The Bureau takes no position for or against this measure but offers the following comments.

The concurrent resolution directs the Bureau to conduct a study on several issues that developed from the Joint Senate-House Investigative Committee on the Bureau of Conveyances, namely: (1) the merging of the land court and "regular" systems of land recordation; (2) the transfer of the Bureau of Conveyances to a different department; and (3) privatizing certain functions of the Bureau of Conveyances. The study is to be submitted prior to the convening of the 2009 regular session of the Legislature.

We note that as presently drafted, the scope of the study requested in this measure is extremely broad, as each of the three components could itself be a separate and distinct study.

Each of the respective components, however, appears to be manageable.

We will endeavor to work with the Legislature to produce a study or studies that are informative and useful.

Thank you very much for this opportunity to submit our comments.