

STAND. COM. REP. NO.

912

Honolulu, Hawaii

MAR 24 2009

RE: H.B. No. 271
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which
was referred H.B. No. 271 entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY,"

begs leave to report as follows:

The purpose of this measure is to permit the Registrar of the
Bureau of Conveyances to accept electronic documents with
electronic signatures for recording.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources, the Commission
to Promote Uniform Legislation, Hawaii Association of Realtors,
and Hawaii Land Title Association. Written testimony presented to
the Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure will allow the Bureau
of Conveyances to become more efficient and up to date in its
operations. Your Committee further finds that this measure does
not require the Bureau of Conveyances to make any changes to its
procedures until it has developed the capacity to do so. Your
Committee further notes that this measure is based on the Uniform
Real Property Electronic Recording Act, which has been adopted by
eighteen other states and the District of Columbia. Your
Committee finds that this measure addresses the Department of Land
and Natural Resources' request that it be allowed to produce
digital archives without also being required to produce microfilm
records.

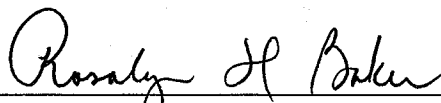


Your Committee has amended this measure by:

- (1) Allowing the Registrar of the Bureau of Conveyances and the Department of Accounting and General Services, upon authorization of the Registrar, to furnish maps or plans in photographic, electronic, or electrostatic form upon receiving a request for maps or plans;
- (2) Allowing the Registrar of the Bureau of Conveyances to furnish nonattested copies of instruments and documents in photographic, electronic, or electrostatic form upon receiving a request for instruments or documents;
- (3) Allowing the Registrar of the Bureau of Conveyances to convert existing information or documents into electronic form; and
- (4) Making nonsubstantive, technical changes for the purpose of clarity and accuracy in the language of this measure.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 271, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 271, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,


ROSALYN H. BAKER, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">HB 271</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">CPN, J40</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/19/2009</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les				✓
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
TOTAL	5			2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">David Y. Ige</div>				
<div style="display: flex; justify-content: space-between;"> <div style="width: 20%;"> Distribution: </div> <div style="width: 80%; text-align: center;"> <div style="display: flex; justify-content: space-around; font-size: 0.8em;"> Original Yellow Pink Goldenrod </div> <div style="display: flex; justify-content: space-around; font-size: 0.7em;"> File with Committee Report Clerk's Office Drafting Agency Committee File Copy </div> </div> </div>				

*Only one measure per Record of Votes