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**PRESENTATION OF THE
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE SENATE COMMITTEE ON
WAYS AND MEANS

TWENTY-FOURTH LEGISLATURE
Regular Session of 2008

Friday, March 28, 2008
9:30 a.m.

WRITTEN COMMENTS

**TESTIMONY ON HOUSE BILL NO. 2372, H.D. 2, S.D. 1, RELATING TO TIME
SHARE PLANS.**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Lori Beth Van Cantfort, Time Share Administrator, testifying on behalf of the Department of Commerce and Consumer Affairs ("Department"). I thank you for the opportunity to express the Department's continued objections to House Bill No. 2372, H.D. 2, S.D. 1, Relating to Time Share Plans. However, should your Committee wish to pass this bill out and, subject to retention of the defective effective date to encourage further discussion, the Department would not object.

The purpose of this bill is to (1) allow registered developers, or their affiliates, to sell additional time share interests to existing owners of an out-of-state time share plan that is not registered in Hawaii, and (2) allow registered developers, or their affiliates, to sell time share interests in an out-of-state time share plan that has not been registered in Hawaii to anyone who owns an interest in any of the developer's time share plans.

The remaining issue with the bill is whether the exemption should apply to developers who do not have a current registration in Hawaii but merely are affiliated with a currently registered developer. While the Department has taken the position that the exemption should only apply to developers who have a current registration in Hawaii, the Department has proposed to the proponents that should the exemption apply to unregistered developers, then the developer's registered affiliate shall be held responsible for the acts of the exempt developer. The proponents of the bill are currently reviewing the Department's proposal and the Department will continue to work with them to resolve this remaining issue.

Thank you for the opportunity to present written comments.

SENATE COMMITTEE ON
WAYS AND MEANS

March 28, 2008

HB 2372, HD 2, SD 1 Relating to Time Share Plans

Chair Baker and members of the Senate Committee on Ways and Means, I am Rick Tsujimura, representing Marriott International, Inc. (Marriott).

Marriott supports House Bill 2372, HD 2, SD 1 Relating to Time Share Plans in its present form and requests that you pass this measure unamended.

Thank you for the opportunity to present this testimony.

GOODSILL ANDERSON QUINN & STIFEL

A LIMITED LIABILITY LAW PARTNERSHIP LLP

GOVERNMENT RELATIONS TEAM:

GARY M. SLOVIN, ESQ.
CHRISTOPHER G. PABLO, ESQ.
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March 27, 2008

TO: Senator Rosalyn H. Baker
Chair, Senate Committee on Ways and Means
Hawaii State Capitol, Room 210
Via Email: testimony@capitol.hawaii.gov

FROM: Gary M. Slovin

RE H.B. 2372, H.D.2, S.D.1 - Relating to Time Share Plans
Hearing Date: Friday, March 28, 2008 @ 9:30 a.m., Room 211

Dear Chair Baker and Members of the Committee on Ways and Means:

I am Gary Slovin testifying on behalf of Wyndham Worldwide. Wyndham Worldwide offers individual consumers and business-to-business customers a broad suite of hospitality products and services across various accommodation alternatives and price ranges through its portfolio of world-renowned brands. Wyndham Worldwide has substantial interests in Hawaii that include Wyndham Vacation Ownership, with its new resort at Waikiki Beach Walk.

We strongly support H.B. 2372, H.D.2, S.D.1 as it proposes to address an omission in the Hawaii Revised Statutes that does not allow the sale of an additional interest in a timeshare plan to an existing customer in Hawaii when the timeshare plan is not registered in Hawaii. H.B. 2372, HD2 would allow an entity in Hawaii to sell additional interests to their existing owners, without having to satisfy all of the Hawaii registration requirements but would still provide substantive consumer protection safeguards.

Passage of this bill would remove the present barrier and allow the sales of additional interests to our existing owners and allow us to service our owners in the state of Hawaii. We respectfully urge you to pass H.B. 2372, H.D.2, S.D.1.

Thank you very much for your consideration and for this opportunity to submit testimony.



American Resort Development Association
c/o PMCI Hawaii 84 N. King Street Honolulu, HI 96817 (808) 536-5688

March 26, 2008

TO: Senator Rosalyn Baker, Chair
Senator Shan Tsutsui, Vice Chair
Senate Committee on Ways and Means

FROM: ARDA-Hawaii
Contact: Donalyn Dela Cruz, PMCI Hawaii

RE: **CPH Hearing**
Friday, March 28, 2008
Room 211, 9:30 a.m.
House Bill 2372, HD 2, SD1; Relating to Timeshares Plans

Dear Chair Baker, Vice-Chair Tsutsui, and members of the committee:

The American Resort Development Association (ARDA)-Hawaii is the local chapter of the national timeshare trade association. Hawaii's timeshare industry currently accounts for over eight percent of the State's lodging inventory.

ARDA-Hawaii **supports HB 2372 HD2, SD1** which proposes to exempt the offer or sale of a timeshare interest from the timeshare law if the offer or sale is for an additional interest in the same timeshare plan to an existing owner. This measure would also ensure consumer protection while allowing an entity in Hawaii to sell additional timeshare interests to its existing owners.

Thank you very much for the opportunity to offer testimony on this measure.

GOODSILL ANDERSON QUINN & STIFEL

A LIMITED LIABILITY LAW PARTNERSHIP LLP

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March 27, 2008

TO: Senator Rosalyn H. Baker
Chair, Senate Committee on Ways and Means
Hawaii State Capitol, Room 210
Via Email: testimony@capitol.hawaii.gov

FROM: Joanna Markle

RE: H.B. 2372, H.D.2, S.D.1 - Relating to Time Share Plans
Hearing Date: Friday, March 28, 2008 @ 9:30 a.m., Room 211

Dear Chair Baker and Members of the Committee on Ways and Means:

I am Joanna Markle testifying on behalf of Group RCI, the leading global provider of leisure travel services to businesses and consumers, and the worldwide leader in timeshare exchange. RCI employs 5,500 people in more than 50 worldwide locations, and has more than 3,700 resorts registered to their exchange network worldwide. Many of our affiliates are resort operators in Hawaii, such as Hilton, Shell, and Wyndham Vacation Ownership.

We strongly support H.B. 2372, H.D.2, S.D.1 as it proposes to address an omission in the Hawaii Revised Statutes that does not allow the sale of an additional interest in a timeshare plan to an existing customer in Hawaii when the timeshare plan is not registered in Hawaii. We respectfully ask for your support of H.B. 2372, H.D.2, S.D.1.

Thank you very much for this opportunity to submit testimony.