

HOUSE COMMITTEE ON
TOURISM AND CULTURE

January 28, 2008

HB 3325 Relating to the Uniform Land Sales Practices Act

Chair Yamane and members of the House Committee on Tourism and Culture, I am Rick Tsujimura, representing Marriott International, Inc. (Marriott).

On behalf of Marriott, I would like to express support for passage of House Bill 3325 Relating to the Uniform Land Sales Practices Act. This measure seeks to expressly exempt times share plans duly registered under chapter 514E of the Hawaii Revised Statutes, from the purview of chapter 484, Hawaii Revised Statutes. This measure would have the effect of treating registered time share plans similarly to registered condominium projects in terms of being exempt from the requirements of chapter 484. Registered time share plans do undergo a thorough review by the Time Share Division of the Department of Commerce and Consumer Affairs (“DCCA”) prior to commencing with sales, and as a part of such registration process, are also required to prepare and keep current, a detailed disclosure document that explains the parameters of the time share plan for review by consumers prior to the purchase of a time share interest.

Accordingly, Marriott supports House Bill 3325, and would urge the passage of this measure. Thank you for the opportunity to present this testimony.



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

TO THE HOUSE COMMITTEE ON TOURISM AND CULTURE

TWENTY-FOURTH LEGISLATURE
Regular Session of 2008

Monday, January 28, 2008
10:00 a.m.

**TESTIMONY ON HOUSE BILL NO. 3325, RELATING TO THE UNIFORM LAND
SALES PRACTICES ACT.**

TO THE HONORABLE RYAN YAMANE, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Lori Beth Van Cantfort, Time Share Administrator of the Professional and Vocational Licensing Division, testifying on behalf of the Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to testify in support of House Bill No. 3325, Relating to the Uniform Land Sales Practices Act.

House Bill No. 3325 seeks to exempt registered time share plans from the registration requirements of Hawaii Revised Statutes, Chapter 484, Uniform Land Sales Practices Act. The Department supports the bill for the following reasons:

- Time share plans are already required to register under Chapter 514E, Time Share Plans.
- Time share purchasers receive the time share disclosure statement which provides them relevant information about the time share plan.
- Requiring developers to provide time share purchasers with a subdivision public offering statement would be unnecessary as the disclosures found in it are not the type of information a time share purchaser is concerned with.
- A similar exemption exists for registered condominium property regimes.

For these reasons, the Department supports passage of House Bill No. 3325.

Thank you for the opportunity to testify.



American Resort Development Association
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January 28, 2008

TO: Representative Ryan Yamane, Chair
Representative Joey Manahan, Vice-Chair
House Committee on Tourism & Culture

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

RE: **House Committee on Tourism & Culture**
Monday, January 28, 2008
Room 325, 10:00 a.m.
House Bill 3325; Relating to the Uniform Land Sales Practices Act

Dear Chair Yamane, Vice-Chair Manahan and members of the committee:

ARDA-Hawaii **supports HB 3325**, which proposes to exempt offers or dispositions of interests in timeshare plans from the Uniform Land Sales Practices Act.

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.

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

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A LIMITED LIABILITY LAW PARTNERSHIP LLP

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January 27, 2008

TO: Representative Ryan Yamane
Chair, Committee on Tourism and Culture
Hawaii State Capitol, Room 325
Via Email: TACtestimony@Capitol.hawaii.gov

FROM: Joanna Markle

RE H.B 3325 - RELATING TO THE UNIFORM LAND SALES
PRACTICES ACT
Hearing Date: Monday, January 28, 2008 @ 10:00 a.m.

Dear Chair Yamane and Members of the Committee on Tourism and Culture:

I am Joanna Markle 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 support H.B. 3325 to exempt time share plans from the Uniform Land Sales Practices Act, as time shares are already registered and governed under HRS Chapter 514E Time Sharing Plans.

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