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

TO THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION AND AFFORDABLE HOUSING

TWENTY-FOURTH LEGISLATURE
Regular Session of 2008

Friday, February 22, 2008
9:00 a.m.

**TESTIMONY ON SENATE BILL NO. 2861, RELATING TO THE UNIFORM LAND
SALES PRACTICES ACT.**

TO THE HONORABLE RUSSELL S. KOKUBUN, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Lori Beth Van Cantfort, Executive Officer, testifying on behalf of the Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to testify in support of Senate Bill No. 2861, Relating to the Uniform Land Sales Practices Act.

Senate Bill No. 2861 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 Senate Bill No. 2861.

Thank you for the opportunity to testify.

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February 19, 2008

TO: Senator Russell S. Kokubun
Chair, Senate Committee on Commerce, Consumer Protection, &
Affordable Housing
Hawaii State Capitol, Room 407

Via Email: testimony@Capitol.hawaii.gov

FROM: Joanna Markle

RE S.B. 2861 - RELATING TO THE UNIFORM LAND SALES
PRACTICES ACT

Hearing Date: Friday, February 22, 2008 @ 9:00 a.m., Room 229

Dear Chair Kokubun and Members of the Committee on Commerce, Consumer Protection, & Affordable Housing:

I am Joanna Markle testifying on behalf of Wyndham Worldwide. Wyndham Worldwide has substantial interests in Hawaii that include Wyndham Vacation Ownership, with its new resort at Waikiki Beach Walk.

We support S.B. 2861 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.

SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION
AND AFFORDABLE HOUSING

February 22, 2008

SB 2861 Relating to the Uniform Land Sales Practices Act

Chair Kokubun and members of the Senate Committee on Commerce, Consumer Protection and Affordable Housing, I am Rick Tsujimura, representing Marriott International, Inc. (Marriott).

Marriott supports Senate Bill 2861 Relating to the Uniform Land Sales Practices Act. This measure seeks to expressly exempt time 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 Senate Bill 2861, and would urge the passage of this measure. Thank you for the opportunity to present this testimony.



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

February 22, 2008

TO: Senator Russell Kokubun, Chair
Senator David Ige, Vice-Chair
Senate Committee on Commerce, Consumer Protection, and Affordable Housing

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

RE: **CPH Hearing**
Friday, February 22, 2008
Room 229, 9:00 a.m.
Senate Bill 2861; Relating to the Uniform Land Sales Practices Act

Dear Chair Kokubun, Vice-Chair Ige, and members of the committee:

The American Resort Development Association, Hawaii Chapter is the local organization 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 SB 2861**, which proposes to exempt offers or dispositions of interests in timeshare plans from the Uniform Land Sales Practices Act. Time share plans are already required to register under Chapter 514E of the Hawaii Revised Statutes.

We respectfully ask for your favorable passage of this measure. Thank you very much for the opportunity to offer testimony.