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

TO THE SENATE COMMITTEE ON
COMMERCE AND CONSUMER PROTECTION

TWENTY-FIFTH LEGISLATURE
Regular Session of 2009

Thursday, February 26, 2009
8:30 a.m.

**TESTIMONY ON SENATE BILL NO. 1113, RELATING TO GEOGRAPHIC
LIMITATIONS ON TIME SHARES.**

TO THE HONORABLE ROSALYN H. BAKER, 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").

S.B. 1113 seeks to amend Hawaii Revised Statutes Section 514E-5 by deleting subparagraph 514E-5(2)(C), thereby repealing the authority to have time share units in an existing nonconforming use hotel in the City and County of Honolulu if the property has at least 60 units and at least 40% of the units are made available for sale or rented as residential apartments.

The Department understands that the proponent of the bill has submitted a proposed S.D.1 which maintains the authority to have time share units in an existing nonconforming use hotel in the City and County of Honolulu, but deletes only the requirement that the property have at least 60 units and at least 40% of those units be made available for sale or rented as residential apartments.

The Department takes no position on S.B. 1113 or the proposed S.D.1. Because this is a zoning issue, the Department believes that the county is in the best position to comment on this bill and therefore the Department defers to the county.

Thank you for this opportunity to testify.