

Honolulu, Hawaii

APR 01 2013

RE: H.B. No. 424
H.D. 1
S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 424, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TIMESHARE CONVEYANCES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Governor to appoint commissioners of deeds to administer oaths, take acknowledgements, and take proofs of execution outside of the United States in connection with the execution of conveyance documents relating to time shares.

This measure also:

- (1) Requires commissioners of deeds to provide a written notice to each person whose signature is witnessed or acknowledged by the commissioner; and
- (2) Establishes bonding requirements, penalties, and liabilities for commissioners of deeds.

Your Committee received written comments in support of this measure from Disney Vacation Development, Inc., and SVO Pacific, Inc.

Your Committee finds that deeds of time share interests in Hawaii time share plans are required to be notarized in order to be recordable. Your Committee further finds that this requirement



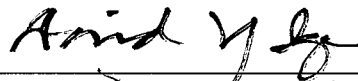
can be difficult to satisfy in jurisdictions outside of the United States in which notaries public are not common. Your Committee believes that, by authorizing the Governor to appoint commissioners of deeds, this measure will help streamline the process for consumers located outside of the United States who wish to purchase time share property in Hawaii.

Your Committee has amended this measure by:

- (1) Appropriating unspecified funds for expenses incurred by the Office of the Lieutenant Governor related to commissioners of deeds;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 424, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 424, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DAVID Y. IGE, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB 424, HD1, SD1	Committee Referral: CPN, WAM	Date: 3-22-13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
KAHELE, Gilbert				✓
KEITH-AGARAN, Gilbert S.C.	✓			
KOUCHI, Ronald D.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.				✓
TOKUDA, Jill N.	✓			
SLOM, Sam	✓			
TOTAL	11	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kalani</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes