

STAND. COM. REP. NO.

2534

Honolulu, Hawaii

MAR 03 2016

RE: S.B. No. 2910
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2910, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TIME SHARE COMMISSIONERS OF DEEDS,"

begs leave to report as follows:

The purpose and intent of this measure is to assist in the implementation of the Commissioners of Deeds program.

Specifically, this measure:

- (1) Clarifies the Lieutenant Governor's rulemaking authority relating to Commissioners of Deeds;
- (2) Authorizes the Lieutenant Governor to assess and collect fees and administrative fines relating to Commissioners of Deeds;
- (3) Clarifies that the Lieutenant Governor is responsible for the Commissioners of Deeds program;
- (4) Increases the surety bond requirement for Commissioners of Deeds from \$1,000 to \$10,000; and
- (5) Appropriates funds for the establishment and administration of the Commissioners of Deeds program.



Your Committee received written comments in support of this measure from the Office of the Lieutenant Governor, American Resort Development Association, Starwood Vacation Ownership, and Wyndham Vacation Ownership.

Your Committee finds that Act 277, Session Laws of Hawaii 2013, established the Commissioners of Deeds program within the Office of the Lieutenant Governor. This program includes a process for the Governor to appoint individuals to serve as 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 a time share interest, any property subject to a time share plan, or the operation of a time share plan covering any property located within Hawaii.

Your Committee also finds that a working group was convened in 2014 to assist in implementing the Commissioners of Deeds program. The working group determined that additional legislation and authorization would assist with the effective implementation of the Commissioners of Deeds program and ensure the protection of consumers who wish to purchase a time share property located in the State. Your Committee further finds that this measure addresses the issues identified by the working group.

Your Committee has amended this measure by making a technical nonsubstantive amendment for the purpose of clarity.

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 S.B. No. 2910, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2910, S.D. 2.

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



JILL N. TOKUDA, Chair



