

STAND. COM. REP. NO.

859

Honolulu, Hawaii

MAR 14 2013

RE: H.B. No. 423

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

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 423 entitled:

"A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal the sunset date of Act 120, Session Laws of Hawaii 2009, which requires transactions regarding fee simple interests in time shares to be recorded in the Bureau of Conveyances and provides a mechanism for transferring the registration from the Land Court System to the Bureau of Conveyances.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; American Resort Development Association Hawaii; SVO Pacific, Inc.; Wyndham Vacation Ownership; and one individual. Your Committee received comments on this measure from the Hawaii State Judiciary.

Your Committee finds that Act 120, Session Laws of Hawaii 2009, deregistered fee simple time share transactions from the Land Court system and established a procedure to move these transactions to the regular system in the Bureau of Conveyances.

Your Committee further finds that the number of owners of a fee simple time share range from hundreds to thousands, with each owner holding a percentage interest in the time share property. The removal of fee simple time share transactions from the Land Court has eliminated the need to issue a certificate of title for each fee simple time share unit for each owner, has significantly

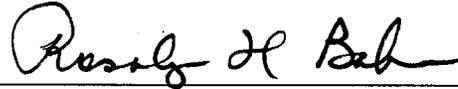


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streamlined the registration process for fee simple time share interests, and has eased the backlog of recordings at the Land Court. Repealing the applicable sunset provision of Act 120, Session Laws of Hawaii 2009, as provided by this measure, will therefore permanently establish the streamlined process and ease the backlog of registering fee simple time share interests in the Land Court system.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 423, and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



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ROSALYN H. BAKER, Chair



The Senate  
Twenty-Seventh Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 423	CPN, JDL	3-12-13		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
NISHIHARA, Clarence K.				✓
SOLOMON, Malama	✓			
TANIGUCHI, Brian T.				✓
WAKAI, Glenn				✓
SLOM, Sam	✓			
<b>TOTAL</b>	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report     Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes