STAND. COM. REP. NO. 650 -06

Honolulu, Hawaii

MorchZ, 2006

RE: H.B. No. 3250 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 3250 entitled:

"A BILL FOR AN ACT RELATING TO SUPERSEDEAS BONDS,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Limit the amount of any supersedeas bond or other form of security necessary to stay execution of a judgment on a civil case pending appeal; and
- (2) Authorize the court to set the bond up to the total amount of the judgment if the appellant dissipates assets to avoid payment of the judgment during the pending appeal.

The Hawaii Business League, Grocery Manufacturers of America, and a concerned individual testified in support of this bill.

Your Committee has amended this bill by:

(1) Excluding supersedeas bonds posted by tobacco master settlement agreement signatories and their successors and affiliates, which are limited under section 328L-7, Hawaii Revised Statutes; and

(2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3250, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 3250, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,



State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Judiciary

HB 3250	Date:	2/7/06		
Committee Referral:				
JUD	The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	Pass, with amendments			
☐ Hold	☐ Recommit			
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)	1			
2. OSHIRO, Blake K. (VC)	1			
3. CALDWELL, Kirk	1			
4. KANOHO, Ezra R.	/			
5. KARAMATSU, Jon Riki	1		30	
6. MORITA, Hermina M.				
7. SONSON, Alex M.	1			•
8. SOUKI, Joseph M.				/
9. MARUMOTO, Barbara C.				-
10. THIELEN, Cynthia	•	/		
TOTAL	7)		2
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				