STAND. COM. REP. NO. 1250

Honolulu, Hawaii

Monh 27, 2009

RE: S.B. No. 119

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 119 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS RECOGNITION ACT,"

begs leave to report as follows:

The purpose of this bill is to simplify the conduct of international business by recognizing money judgments obtained in other nations for the purpose of enforcement.

This bill replaces the Uniform Foreign Money-Judgments Recognition Act, enacted in 1996 as Chapter 658C, Hawaii Revised Statutes, with the Uniform Foreign-Country Money Judgments Recognition Act. Among other things, this bill updates current law by:

- (1) Providing a statute of limitation on enforcement of a foreign-country judgment;
- (2) Providing that the party seeking recognition of a foreign judgment has the burden to prove that the judgment is subject to the Act; and
- (3) Imposing the burden of proof of establishing that a specific ground for non-recognition exists, upon the party resisting recognition.

SB119 HSCR JUD HMS 2009-3136

The Hawaii Commission to Promote Uniform Legislation offered comments.

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 S.B. No. 119 and recommends that it pass Second Reading and be referred to the Committee on Finance.

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

Ithly KARAMATCH Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral: JUD, FIN	Date	3/17	69
☐ The committee is reconsidering its previous			<u> </u>	-
	unamended (as is) Pas short form bill with HD to recor	ss, with amendments		
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				
2. ITO, Ken (VC)				
3. BELATTI, Della Au				
4. CABANILLA, Rida				/
5. CARROLL, Mele				
6. HERKES, Robert N.				
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K.				
9. MIZUNO, John M.				
10. MORITA, Hermina M.		1		
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. WAKAI, Glenn				y y g
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
		8		
TOTAL (16)	9	0	0	7
The recommendation is: Adop	pted	ed		
If joint re	eferral,committee acronym(rt recommendation	1.
Vice Chair's or designee's signature:	anic			
Distribution: Original (White) – Commit	tee Duplicate (Yellow) –	Chief Clerk's Office	Duplicate (P	Pink) – HMSO