STAND. COM. REP. NO. 1624

Honolulu, Hawaii

April 9, 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 Finance, 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 and codified as Chapter 658C, Hawaii Revised Statutes, with the Uniform Foreign-Country Money Judgments Recognition Act. This measure updates current law by, among other things:

- (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.

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The Hawaii Commission to Promote Uniform Legislation provided comments.

As affirmed by the record of votes of the members of your Committee on Finance 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 Third Reading.

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

MARCUS R. OSHIRO, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Finance

	Committee Referral: Date: April 2, 2009				
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, un Pass sh		(as is) Pass	, with amendments		
FIN Members	44.	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)		V			
2. LEE, Marilyn B. (VC)					
3. AQUINO, Henry J.C.	The special property of the second se	V			
4. AWANA, Karen Leinani		<u> </u>			
5. BROWER, Tom		v			
6. CHOY, Isaac W.		V			
7. COFFMAN, Denny					
8. HAR, Sharon E.		V			
9. KEITH-AGARAN, Gilbert S.C.		v			
10. LEE, Chris		V			
11. NISHIMOTO, Scott Y.	1000 S. 100 S.	· ·			
12. SAGUM, Roland D., III					
13. TOKIOKA, James Kunane		4			
14. WOOLEY, Jessica		-			
15. YAMASHITA, Kyle T.	i propositi				
16. PINE, Kymberly Marcos					
17. WARD, Gene					
TOTAL (17)		16	0	0	/
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature:	m	arily (Lee		
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