STAND. COM. REP. NO. 95

Honolulu, Hawaii **F. 5 9**, 2009 RE: H.B. No. 1031

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

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 1031 entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES,"

beg leave to report as follows:

The purpose of this bill is to improve Hawaii's antitrust laws by clarifying:

- The right of government entities to bring an antitrust action for damages notwithstanding their status as indirect purchasers;
- (2) The ability of government entities to bring an action based on unfair methods of competition and unfair or deceptive acts or practices; and
- (3) That any civil action or proceeding authorized under Hawaii's antitrust laws may be brought in any appropriate court, and not only the court in the circuit where the defendant resides, does business, or has an agent.

The Department of the Attorney General testified in support of this bill.



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As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1031 and recommend that it pass Second Reading and be referred to the Committee on Finance.

> Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

JON RIKI KARAMATSU, Chair

HB1031 HSCR CPC-JUD HMS 2009-1723

ROBERT N. HERKES, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1031	Committee Referral: CPC/JUD, FIN	Dat	Date: 2/2/09		
□ The committee is reconsidering its prev	vious decision on the measure.		<u></u>		
	unamended (as is)	ss, with amendments	3		
CPC Members	Ayes	Ayes (WR)	Nays	Excused	
1. HERKES, Robert N. (C)					
2. WAKAI, Glenn (VC)					
3. BELATTI, Della Au					
4. CABANILLA, Rida					
5. CARROLL, Mele		1			
6. ITO, Ken		+			
7. KARAMATSU, Jon Riki					
8. LUKE, Sylvia					
9. McKELVEY, Angus L.K.					
10. MIZUNO, John M.					
11. MORITA, Hermina M.					
12. SOUKI, Joseph M.			-		
13. TSUJI, Clift					
14. MARUMOTO, Barbara C.					
15. THIELEN, Cynthia					
		6	6		
TOTAL (15)	- 13	φ	φ	2	
The recommendation is: Add If joint	ppted	did not supp	ort recommendation	1.	
Vice Chair's or designee's signature:	At X				
Distribution: Original (White) – Commi	itise Duplicate (Yellow)	– Chief Clerk's Offic	e Duplicate (H	Pink) – HMSO	

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	Date	•			
HB 1031	1031 CPC/JUD, FIN 2/2/09					
□ The committee is reconsidering its previ			/ /			
		s, with amendments				
D Pass sl	hort form bill with HD to recor	nmit for future publ	ic hearing (recomm	it)		
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				1		
8. McKELVEY, Angus L.K.						
9. MIZUNO, John M.	· · · · ·		بن بن البري البري موج			
10. MORITA, Hermina M.						
11. OSHIRO, Blake K.						
12. SOUKI, Joseph M.						
13. TSUJI, Clift						
14. WAKAI, Glenn						
15. MARUMOTO, Barbara C.						
16. THIELEN, Cynthia			102 0.00 100 00			
TOTAL (16)	14			2		
The recommendation is: Adop If joint re		did not supp	ort recommendation	1		
Vice Chair's or designee's signature:	- F- lt-					
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