

Honolulu, Hawaii

Feb 16, 2006

RE: H.B. No. 2291
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. 2291 entitled:

"A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF THE ATTORNEY GENERAL,"

begs leave to report as follows:

The purpose of this bill is to provide financial resources to the Department of the Attorney General to proactively prosecute false claims made against the State by:

- (1) Establishing a False Claims Trust Fund (Trust Fund); and
- (2) Providing a mechanism to allocate resources to the Trust Fund by requiring that the Attorney General (AG) receive 33 percent of the proceeds or settlement from a false claim prosecution initiated by the AG, or from a false claim initiated by a private individual but assumed by the AG.

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

Your Committee has amended this measure by:

- (1) Limiting the use of monies from the Trust Fund to expenditures, relating to the enforcement of false-claim and qui tam actions, for staff, experts, training,

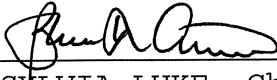


equipment, and facilitating participation in multi-state false claim actions;

- (2) Changing the effective date to July 1, 2010, to facilitate further discussion; and
- (3) 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. 2291, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2291, H.D. 1, and be referred to the Committee on Finance.

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


for SYLVIA LUKE, Chair



