

STAND. COM. REP. NO.

95

Honolulu, Hawaii

Feb 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:

- (1) 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.

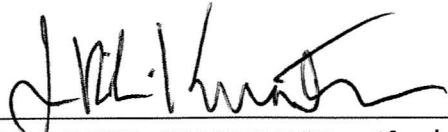
HB1031 HSCR CPC-JUD HMS 2009-1723



Your Committees find that along with other amendments to clarify Hawaii's antitrust laws, this bill addresses a recent California federal district court order dismissing the antitrust claims of certain state agencies, including Hawaii's, as indirect purchasers.

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



ROBERT N. HERKES, Chair





