

STAND. COM. REP. NO. 367

Honolulu, Hawaii

FEB 18, 2009

RE: H.B. No. 131
H.D. 1

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 H.B. No. 131 entitled:

"A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY,"

begs leave to report as follows:

The purpose of this bill is to allow individuals to claim unclaimed property from the State of less than an unspecified fair market value through the use of a notarized affidavit signed under penalty of unsworn falsification.

The Department of Budget and Finance opposed this bill.

Your Committee finds that an individual may claim, among other things, an uncashed check by swearing that the claimant maintained a business relationship with the check's issuer at or near the time of issue. To tighten this provision, your Committee has amended this bill by requiring that the business relationship must have existed within a specific number of months prior to the issuance of the check. Your Committee respectfully requests that the Committee on Finance determine an appropriate length of time.

Your Committee has further amended this bill by changing the effective date to January 1, 2046, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your

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Committee is in accord with the intent and purpose of H.B. No. 131, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 131, H.D. 1, and be referred to the Committee on Finance.

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



JON RIKI KARAMATSU, Chair



