

STAND. COM. REP. NO. 669

Honolulu, Hawaii

March 5, 2009

RE: H.B. No. 382

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. 382 entitled:

"A BILL FOR AN ACT RELATING TO STATE TORT LIABILITY,"

begs leave to report as follows:

The purpose of this bill is to require notice prior to filing class action lawsuits against the State to the Governor, President of the Senate, and Speaker of the House of Representatives, as well as service of the filed complaint and all supporting and exculpatory materials on the President of the Senate and the Speaker of the House of Representatives within seven days of filing.

The State Attorney General testified in opposition to this measure.

Your Committee has amended this bill by:

- (1) Placing the substance of the bill in Chapter 661, Hawaii Revised Statutes, relating to actions by and against the State; and
- (2) 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 Committee is in accord with the intent and purpose of H.B. No. 382, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 382, H.D. 1, and be placed on the calendar for Third Reading.

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



JON RIKI KARAMATSU, Chair



