Honolulu, Hawaii

31, 2008

RE: H.B. No. 2145

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 2145 entitled:

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

beg leave to report as follows:

The purpose of this bill is to allow claimants of unclaimed property held by the State to assert ownership through an affidavit if the claimant is unable to present documentation of ownership requested by the State.

The Department of Budget and Finance opposed this bill. A concerned individual offered comments.

Concerns were raised that by allowing individuals to assert ownership of unclaimed property solely on the basis of an affidavit, this bill may lead to possible abuses through the submission of false affidavits.

Accordingly, your Committees have amended this bill by:

- (1) Requiring the submitted affidavit to be:
 - (A) Notarized; and
 - (B) Signed under penalty of perjury;

HB2145 HD1 HSCR CPC HMS 2008-1484

- (2) Providing that property claimed solely through an affidavit may not have a value that exceeds an unspecified amount; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

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. 2145, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2145, H.D. 1, and be referred to the Committee on Finance.

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

TOMMY WATERS, Chair

ROBERT N. HERKES, Chair



State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: #B 2145	Committee Referral: CPC/JUD, FIN	Date:	hylox				
The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)							
CPC Members	Ayes	Ayes (WR)	Nays	Excused			
1. HERKES, Robert N. (C)	×						
2. McKELVEY, Angus L.K. (VC)	X		######################################				
3. EVANS, Cindy				×			
4. GREEN, Josh, M.D.	×						
5. ITO, Ken			•	X			
6. LUKE, Sylvia				 X			
7. MORITA, Hermina M.	X			•			
8. SONSON, Alex M.				X			
9. SOUKI, Joseph M.	· Y						
10. TSUJI, Clift	X						
11. YAMANE, Ryan I.	<u> </u>		ettettiitiitiitiitiitiitiitiitiitiitiiti				
12. YAMASHITA, Kyle T.	<u> </u>						
13. MARUMOTO, Barbara C.	<u> </u>		derinante de meior de service de mandre de la compansión de la compansión de la compansión de la compansión de				
14. THIELEN, Cynthia							
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TOTAL (14)	10	er per per per per per per per per per p		4			
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s)							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office							

State of Hawaii House of Representatives The Twenty-fourth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	Dat	e:				
НВ 2145	CPC/JUD, FIN		1/24/08				
The committee is reconsidering its previous decision on the measure.							
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)							
JUD Members	Ayes	Ayes (WR)	Nays	Excused			
1. WATERS, Tommy (C)							
2. OSHIRO, Blake K. (VC) 3. EVANS, Cindy							
4. GREEN, Josh, M.D.							
5. ITO, Ken							
6. LUKE, Sylvia				· ·			
7. McKELVEY, Angus L.K.				-			
8. MORITA, Hermina M.	enner en			liitti tata ankonnoi mima onno otera a a a ante eta a a aktieta			
9. SONSON, Alex M.							
10. SOUKI, Joseph M.							
11. TSUJI, Clift							
12. YAMANE, Ryan I.							
13. YAMASHITA, Kyle T.		ļ					
14. MARUMOTO, Barbara C.							
15. PINE, Kymberly Marcos							
16. THIELEN, Cynthia			,				
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TOTAL (16)	12			4			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)							
Vice Chair's or designee's signature: Journal Chair							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office							