

Honolulu, Hawaii  
Feb 6, 2008

RE: H.B. No. 3054

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

Sir:

Your Committee on Consumer Protection & Commerce, to which  
was referred H.B. No. 3054 entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED  
STATUTES, "

begs leave to report as follows:

The purpose of this bill is to improve the antitrust law by  
specifying that:

- (1) Government entities may bring an action:
  - (A) Based on unfair methods of competition and unfair  
or deceptive acts or practices; and
  - (B) For damages sustained directly or indirectly to the  
entity's business or property;

and

- (2) Any civil action or proceeding authorized under the  
antitrust law may be brought in any appropriate court,  
and not only a court in the circuit in which the  
defendant resides, engages in business, or has an agent.

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



Your Committee finds that among other improvements to the antitrust law, this bill ensures the right of the State or any county to bring an action for damages notwithstanding their status as indirect purchasers who did not make the immediate purchase from alleged violators of the antitrust law.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3054 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,

  
\_\_\_\_\_  
ROBERT N. HERKES, Chair



State of Hawaii  
House of Representatives  
The Twenty-fourth Legislature

HSCR 163-08

**Record of Votes of the Committee on Consumer Protection & Commerce**

<b>Bill/Resolution No.:</b> HB 3054	<b>Committee Referral:</b> CPC, JUD, FIN	<b>Date:</b> 01/30/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>CPC Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. HERKES, Robert N. (C)	X			
2. McKELVEY, Angus L.K. (VC)	X			
3. EVANS, Cindy	X			
4. GREEN, Josh, M.D.	X			
5. ITO, Ken				X
6. LUKE, Sylvia	X			
7. MORITA, Hermina M.				X
8. SONSON, Alex M.	X			
9. SOUKI, Joseph M.	X			
10. TSUJI, Clift	X			X <i>HA</i>
11. YAMANE, Ryan I.	X			
12. YAMASHITA, Kyle T.	X			
13. MARUMOTO, Barbara C.	X			
14. THIELEN, Cynthia	X			
<b>TOTAL (14)</b>	12	0	0	2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
<b>Vice Chair's or designee's signature:</b> _____				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office				