

Honolulu, Hawaii

FEB 12 2025

RE: S.B. No. 1320
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1320 entitled:

"A BILL FOR AN ACT RELATING TO SETTLEMENT OF CLAIMS RELATED TO THE MAUI WILDFIRES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the Maui Wildfires Settlement Trust Fund; and
- (2) Appropriate funds to fund the settlement of claims related to the 2023 Maui wildfires.

Your Committee received testimony in support of this measure from the Department of the Attorney General, one member of the Maui County Council, and one individual.

Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the 2023 Maui wildfires settlement agreements reached in November 2024 aim to resolve lawsuits relating to the 2023 Maui wildfires. Under the proposed terms of the 2023 Maui wildfires settlement agreements, the State, County of Maui, Hawaiian Electric, Kamehameha Schools, Charter Communications/Spectrum, Hawaiian Telcom, and West Maui Land



Company collectively agreed to pay \$4.037 billion to provide compensation to approximately two thousand two-hundred affected parties who filed lawsuits. The State's contribution is approximately \$807,500,000, to be paid over four years, which is in addition to the State's \$65 million contribution to the One Ohana Fund for wildfire assistance. Your Committee believes that authorizing the expenditure of public moneys as the State's payment to the compromise and settlement of claims arising from the 2023 Maui wildfires will provide a means of compensation to any individual or personal representative of a deceased individual who suffered real and personal property damage, personal injury, wrongful death, emotional distress and inconvenience, or economic loss as a result of the 2023 Maui wildfires. This measure will offer a timely and compassionate resolution to those affected by the 2023 Maui wildfires, relieve the burden on the judicial system, and contribute to the rebuilding of lives and community.

Your Committee has amended this measure by:

- (1) Changing the appropriations to unspecified amounts;
- (2) Inserting an effective date of April 23, 2057, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure, as amended, contains unspecified appropriation amounts. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it consider inserting appropriation amounts of:

- (1) \$400,000,000 for fiscal year 2025-2026; and
- (2) \$407,500,000 for fiscal year 2026-2027,

to be deposited into the Maui Wildfires Settlement Trust Fund to fund the State's contribution to the settlement of claims related to the 2023 Maui wildfires and for the payment of administrative expenses relating to the 2023 Maui wildfires settlement agreements.



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 S.B. No. 1320, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1320, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 1320	Committee Referral: JDC, WAM	Date: 2/7/25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designer's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes