STAND. COM. REP. NO. 2126

Honolulu, Hawaii

FEB 1 3 2012

RE: S.B. No. 2700 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2700 entitled:

"A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES,"

begs leave to report as follows:

The purpose and intent of this measure is to make an emergency appropriation to satisfy twenty-four claims against the State and its officers or employees for fiscal year 2011-2012, because the requested funds were not appropriated during the previous regular legislative session.

Your Committee received testimony in support of this measure from the Department of the Attorney General; the Judiciary; and the Department of Education.

Your Committee finds that during the regular session of 2011, a request was made to the Legislature for funds to satisfy judgments and settlements of claims against the State for fiscal year 2010-2011. Those requested funds were not appropriated and as a result, claimants sought or threatened to initiate legal action against the State. This measure seeks an emergency appropriation to satisfy twenty-four judgments and settlements totaling \$5,790,697.12 in order to avoid further legal action and expense.

Your Committee has amended this measure by:

2012-0923 SSCR SMA.doc

- (1) Correcting language to accurately request that funds be appropriated out of the harbor special fund, rather than the State harbor fund, to settle certain claims; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2700, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2700, S.D. 1, and be referred to the Committee on Ways and Means.

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

CLAYTON HEE Chair

## The Senate Twenty-Sixth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:			Date: /	
582700 JDL		-,WAr	1	2/3/1	12
The committee is reconsidering its previous decision on this measure.					
If so, then the previous de	ecision was to:	I		<del></del>	
The Recommendation is:	$\wedge$				
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)		/			
GABBARD, Mike	-				
IHARA, Jr., Les					
SLOM, Sam					
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TOTAL		5			
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy					

<sup>\*</sup>Only one measure per Record of Votes