STAND. COM. REP. NO. 🗸

Honolulu, Hawaii

, 2013

RE: H.B. No. 775 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 775, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to appropriate funds to satisfy claims against the State or its officers or employees for the overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other liabilities.

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

Your Committee has amended this measure by:

- (1) Adding eight additional claims against the State of Hawaii as follows:
  - (A) Bitanga v. State of Hawaii, Tort Claim, a settlement in the amount of \$18,000;
  - (B) Cain, et al. v. State of Hawaii Academy of Arts & Science Charter School, Civil No. 11-00501, USDC, a settlement in the amount of \$30,000;

- (C) E.P., et al. v. State of Hawaii, et al., Civil No. 10-1-1357-06, First Circuit, a settlement in the amount of \$40,000;
- (D) Doe Parent, et al. v. State of Hawaii, et al., Civil No. 09-1-2773-11, First Circuit, a settlement in the amount of \$20,000;
- (E) Gilding v. State of Hawaii, Civil No. 08-1-1852-09, First Circuit, a settlement in the amount of \$350,000;
- (F) Gwen Kubo, a miscellaneous claim in the amount of \$3,337.75;
- (G) Callo, et al. v. State of Hawaii, Civil No. 05-19782, Second Circuit, and Douger, et al. v. State of Hawaii, Civil No. 05-18339, Second Circuit (consolidated cases), a settlement in the amount of \$2,100,000; and
- (H) Dela Cruz v. State of Hawaii, et al., Civil No. 06-1-0258, Third Circuit, a settlement in the amount of \$35,000; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 775, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 775, H.D. 2.

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

SYLVIA LUKE, Chair



## State of Hawaii House of Representatives The Twenty-seventh Legislature

## **Record of Votes of the Committee on Finance**

Bill/Resolution No.: HB775 HD1	Committee Referral: JUD, FIN		Date: 02/25/13		
☐ 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)					
FIN Members	Ayes	Ayes (WR)	Nays	Excused	
1. LUKE, Sylvia (C)					
2. NISHIMOTO, Scott Y. (VC)					
3. JOHANSON, Aaron Ling (VC)				"-	
4. CULLEN, Ty J.K.					
5. HASHEM, Mark J.					
6. ING, Kaniela					
7. JORDAN, Jo					
8. KOBAYASHI, Bertrand					
9. LOWEN, Nicole E.					
10. MORIKAWA, Dee			<del></del>		
11. ONISHI, Richard H.K.					
12. TAKAYAMA, Gregg					
13. TOKIOKA, James Kunane					
14. WOODSON, Justin H.					
15. YAMASHITA, Kyle T.					
16. FUKUMOTO, Beth					
17. WARD, Gene					
			<del></del> -		
TOTAL (17)	(7				
The recommendation is:  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 Duplicate (Pink) - HMSO					