

STAND. COM. REP. NO.

1147

Honolulu, Hawaii

MAR 24 2017

RE: H.B. No. 1022  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 1022, 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 and intent of this measure is to appropriate  
funds to satisfy several claims against the State, its officers,  
or its employees, including claims for legislative relief,  
judgments against the State, settlements, and other miscellaneous  
claims.

Your Committee received testimony in support of this measure  
from the Department of the Attorney General.

Your Committee finds that this measure requests a total of  
\$671,102.09 in appropriations from the general fund to satisfy  
twelve claims against the State, a total of \$5,552,020.44 in  
appropriations from the state highway fund to satisfy three claims  
against the State, and a total of \$116,000.00 in appropriations  
from the harbor special fund to satisfy one claim against the  
State. The grand total for the sixteen claims settled in this  
measure as received by your Committee is \$6,339,122.53. Timely  
passage of this measure will minimize the State's obligation to  
pay interest on those amounts.



Your Committee notes the written testimony submitted by the Department of the Attorney General, which requests the addition of eleven new claims that have been resolved since this measure was introduced. The addition of ten new claims results in a total of \$4,940,309.70 in appropriations needed from the general fund and one new claim totaling \$95,000.00 in appropriations from the state highway fund.

Your Committee has concerns regarding the general fund appropriation amount of \$1,000,000 for *Bridge Aina Le'a v. State of Hawaii Land Use Commission* requested by the Department of the Attorney General and notes that reducing the requested amount to \$1.00 will encourage further discussion as this measure moves through the legislative process.

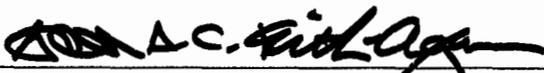
Accordingly, your Committee has amended this measure by:

- (1) Adding general fund appropriations for ten claims totaling \$3,940,310.70 and state highway fund appropriation for one claim totaling \$95,000.00, which increases the grand total of appropriations in this measure to \$10,374,433.23 in order to satisfy a total of twenty-seven claims against the State, its officers, or its employees;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) 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 H.B. No. 1022, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1022, H.D. 1, 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 and  
Labor,

  
GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>HB1022, HD1</b>	Committee Referral: <b>JDL, WAM</b>	Date: <b>3/22/17</b>		
<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
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes