STAND. COM. REP. NO. 2084

Honolulu, Hawaii

FEB 0 8 2018

RE: S.B. No. 2740

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2740 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 make general fund and state highway fund appropriations to satisfy several settlement claims against the State, its officers, or its employees.

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 \$870,000 in appropriations from the general fund to satisfy six claims against the State and a total of \$89,312.84 in appropriations from the state highway fund to satisfy two claims against the State. The grand total for the eight claims settled in this measure as received by your Committee is \$959,312.84. 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 one new claim that has been resolved since this measure was

2018-1083 SSCR SMA.doc

introduced. The addition of this new claim results in a total of \$1,389,312.84 in appropriations needed from the state highway fund. As this measure moves through the legislative process, your Committee encourages further discussion and explanation of claims in testimony so that the Legislature may understand why the State in particular is liable for these claims.

Your Committee has amended this measure by:

- (1) Adding state highway fund appropriations for one claim totaling \$1,300,000, as requested by the Department of the Attorney General, which increases the grand total of appropriations in this measure to \$2,259,312.84 in order to satisfy a total of nine claims against the State, its officers, or its employees;
- (2) Correcting the subtotal amount of appropriations from the state highway fund to satisfy claims involving the Department of Transportation, Highways Division, to \$1,389,312.84; 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 that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2740, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2740, 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,

BRIAN T. TANIGUCHI,

The Senate Twenty-Ninth Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:* Committee Referral: Date:				
SB 2740 JDC, WAM 2/1/18				
The Committee is reconsidering its previous decision on this measure.				
If so, then the previous decision was to:				
The Recommendation is:				
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)				
RHOADS, Karl (VC)				
GABBARD, Mike				
KIM, Donna Mercado			-	
THIELEN, Laura H.				
			,	
	11 11 11			
			•	
TOTAL	5	0	O	0
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				

^{*}Only one measure per Record of Votes