

Honolulu, Hawaii

MAY 11, 2020

RE: S.B. No. 3180
S.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3180, S.D. 1, entitled:

"A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE STATE PUBLIC CHARTER SCHOOL COMMISSION,"

begs leave to report as follows:

The purpose of this measure is to make an emergency appropriation to the State Public Charter School Commission to provide funds to cover the costs of the claim and settlement amount pursuant to *Miller-Potter v. State of Hawaii, et al.*, Civil No. 16-1-0385K.

Your Committee received testimony in support of this measure from the State Public Charter School Commission.

Your Committee finds that section 4 of Act 99, Session Laws of Hawaii 2019, appropriated general funds from fiscal year 2018-2019, for EDN 600 to pay for the costs of the claim and settlement amount in *Miller-Potter v. State of Hawaii, et al.*, Civil No. 16-1-0385K. However, this would require Waimea Middle Public Conversion Charter School to use funds that were intended for the operation of the charter school and education of its students. To avoid negatively impacting the students and families of the charter school, this measure appropriates funds from the



general revenues of the State to the State Public Charter School Commission to cover the costs of the claim and settlement.

Your Committee notes that the Legislature has not yet received a Governor's message requesting the immediate consideration and passage of this measure by the Legislature in accordance with article VII, section 9, of the Hawaii State Constitution.

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. 3180, S.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Finance.

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



CHRIS LEE, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 3180 SD1	Committee Referral: JUD, FIN	Date: 3/12/20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. NAKASHIMA, Mark M.	/			
8. PERRUSO, Amy A.	/			
9. SAY, Calvin K.Y.				/
10. TAKAYAMA, Gregg	/			
11. YAMANE, Ryan I.	/			
12. THIELEN, Cynthia				/
TOTAL (12)	10			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
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