

S.B. NO. 3046

JAN 26 2022

A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF THE
ATTORNEY GENERAL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The State of Hawaii is involved in major
5 litigation that could result in costly judgments against the
6 State if not vigorously defended. These lawsuits will require
7 the State to retain expert witnesses and expert counsel.

8 SECTION 3. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$1,000,000 or so much
10 thereof as may be necessary for fiscal year 2021-2022 to be used
11 by the department of the attorney general in major litigation
12 involving the State.

13 The sum appropriated shall be expended by the department of
14 the attorney general for the purposes of this Act.

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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *M. N. M.*

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BY REQUEST

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S.B. NO. 3040

Report Title:

Department of the Attorney General; Emergency Appropriation

Description:

Makes an emergency appropriation to the Department of the Attorney General for retention of expert witnesses and specialized legal counsel in major litigation against the State of Hawaii.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF THE ATTORNEY GENERAL.

PURPOSE: To appropriate funds for expert witnesses and specialized legal representation of the State of Hawaii in major litigation.

MEANS: Provide appropriation of general funds.

JUSTIFICATION: There are major ongoing lawsuits that require the retention of expert witnesses and specialized legal counsel. These lawsuits include James Dannenberg et al. v. State Of Hawaii, Civ. No. 06-1-1141-06.

Impact on the public: Major cases against the State such as the above-referenced case could result in costly judgments against the State if not defended vigorously. They can also result in verdicts or settlements to the advantage of the State. Vigorous, expert legal representation, with the use of necessary experts, can save the State costly judgments or benefit the State with positive outcomes. These lawsuits are still ongoing.

Impact on the department and other agencies: Funding for expert witnesses and specialized legal counsel will allow the affected state agencies to mount an effective defense in the lawsuits against the State, and may result in higher settlements or awards in cases brought by the State.

The general fund appropriation included in this measure has been proposed with consideration of the statutorily defined appropriation ceiling for the Executive Branch pursuant to section 37-92, Hawaii Revised Statutes.

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GENERAL FUND: \$1,000,000.

OTHER FUNDS: NONE.

PPBS PROGRAM
DESIGNATION: ATG 100.

OTHER AFFECTED
AGENCIES: Employer-Union Health Benefits Trust Fund,
Employer-Union Helath Benefits Trust Fund
Board of Trustees, Department of Budget and
Finance.

EFFECTIVE DATE: Upon approval.