STAND. COM. REP. NO. 3286

Honolulu, Hawaii

MAR 3 0 2026

RE: H.B. No. 2250
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2250, H.D. 2, 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 appropriations and approve payments for claims against the State, its officers, and its employees.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Corrections and Rehabilitation, Department of Land and Natural Resources, Department of Transportation, Department of Education, and Department of Hawaiian Home Lands.

Your Committee finds that the State has a responsibility to promptly satisfy all claims against the State upon the resolution of those claims. Your Committee further finds that the timely passage of this measure will help to minimize the State's obligation to pay interest on the various payment amounts.

Your Committee notes that this measure contains an appropriation for a claim by the United States Environmental Protection Agency Region 9. Your Committee believes that it is

not apparent that the State has liability for the cesspool violation that led to this claim, and instead the lessee may be liable. Your Committee therefore believes that this measure should be amended to remove this claim and the Department of the Attorney General may provide justification to your Committee on Ways and Means explaining why the claim should be reinstated, should your Committee on Ways and Means choose to deliberate on this measure.

Your Committee further notes that, pursuant to chapter 661B, Hawaii Revised Statutes (HRS), petitioners who have proven a claim for wrongful conviction and imprisonment are entitled to $50,000 for each year of actual confinement. Your Committee also notes that this measure contains a claim for Alvin F. Jardine, III in the amount of $600,000. However, Mr. Jardine was imprisoned for twenty years, and is therefore entitled to compensation of $1,000,000 under existing law. Additionally, it took nearly a decade for Mr. Jardine's case to resolve, and substantial interest has accrued on the amount he is statutorily owed for his wrongful conviction and imprisonment. Amendments to this measure are therefore necessary to address these issues.

Accordingly, your Committee has amended this measure by:

(1) Deleting language that would have appropriated $151,132 for a claim by the United States Environmental Protection Agency Region 9;

(2) Inserting blank appropriation amounts for:

(A) Interest for Roynes J. Dural II; and

(B) Interest and an outstanding statutory amount owed to Alvin F. Jardine, III;

(3) Inserting language that:

(A) Prohibits claims for refunds, reimbursements, or other payments, authorization for which is sought from the Legislature that exceed the time limitations of section 40-68, HRS, from being claimed;

(B) Requires the Attorney General to submit a confidential report within five days after the opening of a Regular Session to the Speaker of the House of Representatives, President of the Senate, and Chairs of the House and Senate Judiciary Committees that provides a good faith estimate of each possible judgment against the State that has not yet settled; and

(C) Requires the Attorney General to submit a report every five years to the Legislature containing further incidents that occurred in an agency that led to a claim;

(4) Inserting an effective date of March 22, 2075, to encourage further discussion; and

(5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure, as amended, contains blank appropriation amounts. Should your Committee on Ways and Means choose to deliberate on this measure, your Committee respectfully requests that it considers inserting:

(1) An amount of $400,000 for outstanding statutory amounts owed to Alvin F. Jardine, III;

(2) An appropriate amount for interest on the claim for Alvin F. Jardine, III, calculated at four percent from the date his Rule 40, Hawaii Rules of Penal Procedure, order was granted; and

(3) An appropriate amount for interest on the claim for Roynes J. Dural II, calculated from the date of the order of his release.

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 H.B. No. 2250, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2250,

H.D. 2, 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,

Committee on Judiciary,

KARL RHOADS, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
HB 2250 HD2	JDC, WAM	3/29/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26