

STAND. COM. REP. NO. **203** -12

Honolulu, Hawaii

Feb 8, 2012

RE: H.B. No. 2438
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2438 entitled:

"A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES,"

begs leave to report as follows:

The purpose of this measure is to make emergency appropriations for claims against the State or its officers or employees.

The Department of the Attorney General testified in support of this measure.

During the Regular Session of 2011, appropriations for fiscal year 2010-2011 were requested from the Legislature to satisfy claims against the State. However, that bill was not enacted and the funds were not appropriated. As a consequence, the affected claimants have sought or threatened to initiate legal action against the State, including garnishing state bank accounts for the amounts due and owing. This emergency measure is intended to avoid further legal action and expense.

Further, pursuant to the requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in his Governor's Message No. 190 to the House of Representatives, requested immediate consideration and passage of this measure.

HB2438 HD1 HSCR JUD HMS 2012-1690



Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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. 2438, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2438, H.D. 1, and be referred to the Committee on Finance.

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



GILBERT KEITH-AGARAN, Chair



