

STAND. COM. REP. NO.

2520

Honolulu, Hawaii

MAR 02 2012

RE: H.B. No. 2438  
H.D. 2

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred H.B. No. 2438, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to make an emergency appropriation to satisfy twenty-four claims against the State and its officers or employees for fiscal year 2011-2012, because the requested funds were not appropriated during the previous legislative regular session.

Your Committees received testimony in support of this measure from the Department of the Attorney General, the Judiciary, and the Department of Education.

Your Committees find that during the Regular Session of 2011, a request was made to the Legislature for funds to satisfy judgments and settlements of claims against the State for fiscal year 2010-2011. Those requested funds were not appropriated and as a result, certain claimants have sought or threatened to initiate legal action against the State. This measure seeks an emergency appropriation to satisfy twenty-four judgments and settlements totaling \$5,790,697.12 in order to avoid further legal action and expenses.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Ways and Means that are

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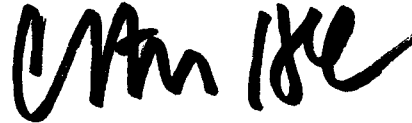
attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2438, H.D. 2, and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Labor and Ways and Means,



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DAVID Y. ICE, Chair



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CLAYTON HEE, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>HB2438, HD2</b>	Committee Referral: <b>JDL/WAM</b>	Date: <b>2/27/12</b>
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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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>			<b>1</b>

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

The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2438, HD2	IDL/WAM	2-27-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
KIDANI, Michelle N. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.				✓
ENGLISH, J. Kalani	✓			
ESPERO, Will	✓			
FUKUNAGA, Carol				✓
KIM, Donna Mercado	✓			
KAHELE, Gilbert	✓			
KOUCHI, Ronald D.	✓			
RYAN, Pohai	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	12	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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