



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-SIXTH LEGISLATURE, 2012**

**LATE  
Testimony**

**ON THE FOLLOWING MEASURE:**

H.B. NO. 2547, RELATING TO AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES.

**BEFORE THE:**

HOUSE COMMITTEE ON HUMAN SERVICES

**DATE:** Monday, February 13, 2012                      **TIME:** 10:30 a.m.  
**LOCATION:** State Capitol, Room 329  
**TESTIFIER(S):** David M. Louie, Attorney General, or  
Lee-Ann N.M. Brewer, Deputy Attorney General, or  
John F. Molay, Deputy Attorney General

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Chair John M. Mizuno and Members of the Committee:

This is an administrative measure, HMS-18(12).

The Department of the Attorney General supports this bill, which seeks an emergency appropriation of funds to pay attorneys fees that the State was ordered to pay to Plaintiffs' counsel in *Sound v. Koller*, Civil No. 09-00409 JMS/KSC during fiscal year 2010-2011.

These attorneys' fees, however, have been included in House Bill No. 2438 and Senate Bill No. 2700, MAKING EMERGENCY APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES, which fund judgments and settlements of claims made against the State in fiscal year 2010-2011.

H.B. No. 2438 was heard before the House Committee on Judiciary on January 31, 2012, and before the House Committee on Finance on February 10, 2012. The House Committee on Finance recommended that the bill be passed with amendments.

S.B. No. 2700 was heard before the Senate Committee on Judiciary and Labor on February 3, 2012, and the committee recommended that the bill be passed with amendments. The Senate Committee on Ways and Means has not yet scheduled a hearing.

If either H.B. No. 2438 or S.B. No. 2700 passes with the funding for the attorneys' fees ordered in *Sound v. Koller*, then this measure, H.B. No. 2547, will be unnecessary.