

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 1039

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1039 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 to satisfy 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 Transportation, and State Public Charter School Commission.

Your Committee finds that, based on the testimony submitted by the Department of the Attorney General, this measure requests a total of \$741,577.62 in appropriations from the general fund, to be paid from the respective department's fiscal year 2020-2021 budget, to satisfy twenty-one various claims against the State and a total of \$995,000 in an appropriation from the state highway fund to satisfy one claim against the State. The grand total for the twenty-two claims settled in this measure as received by your Committee is \$1,736,577.62. Timely passage of this measure will minimize the State's obligation to pay interest on those amounts.

Your Committee notes that it considered the question of whether, as an administrative matter, claims against departments



should be paid out of department funds or the general fund of the State; specifically, whether the Charter School Commission can pay the balance of claims against the Commission, or whether it is constrained by limitations on how it can expend monies in its budget. Your Committee further notes that it considered the question of the appropriate fiscal year for which appropriations for claims against the State should be made. Your Committee finds that these considerations may merit further consideration as this measure proceeds in the legislative process.

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 S.B. No. 1039 and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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



---

KARL RHOADS, Chair



