

JAN 26 2022

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# A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF THE  
ATTORNEY GENERAL.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. This Act is recommended by the governor for  
2 immediate passage in accordance with section 9 of article VII of  
3 the Constitution of the State of Hawaii.

4       SECTION 2. The State of Hawaii is involved in major  
5 litigation that could result in costly judgments against the  
6 State if not vigorously defended. These lawsuits will require  
7 the State to retain expert witnesses and expert counsel.

8       SECTION 3. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$1,000,000 or so much  
10 thereof as may be necessary for fiscal year 2021-2022 to be used  
11 by the department of the attorney general in major litigation  
12 involving the State.

13       The sum appropriated shall be expended by the department of  
14 the attorney general for the purposes of this Act.

S.B. NO. 3046

1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

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S.B. NO. 3046

**Report Title:**

Department of the Attorney General; Emergency Appropriation

**Description:**

Makes an emergency appropriation to the Department of the Attorney General for retention of expert witnesses and specialized legal counsel in major litigation against the State of Hawaii.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT MAKING AN EMERGENCY  
APPROPRIATION TO THE DEPARTMENT OF THE  
ATTORNEY GENERAL.

PURPOSE: To appropriate funds for expert witnesses  
and specialized legal representation of the  
State of Hawaii in major litigation.

MEANS: Provide appropriation of general funds.

JUSTIFICATION: There are major ongoing lawsuits that  
require the retention of expert witnesses  
and specialized legal counsel. These  
lawsuits include James Dannenberg et al. v.  
State Of Hawaii, Civ. No. 06-1-1141-06.

Impact on the public: Major cases against  
the State such as the above-referenced case  
could result in costly judgments against the  
State if not defended vigorously. They can  
also result in verdicts or settlements to  
the advantage of the State. Vigorous,  
expert legal representation, with the use of  
necessary experts, can save the State costly  
judgments or benefit the State with positive  
outcomes. These lawsuits are still ongoing.

Impact on the department and other agencies:  
Funding for expert witnesses and specialized  
legal counsel will allow the affected state  
agencies to mount an effective defense in  
the lawsuits against the State, and may  
result in higher settlements or awards in  
cases brought by the State.

The general fund appropriation included in  
this measure has been proposed with  
consideration of the statutorily defined  
appropriation ceiling for the Executive  
Branch pursuant to section 37-92, Hawaii  
Revised Statutes.

**SB. NO. 3046**

GENERAL FUND: \$1,000,000.

OTHER FUNDS: NONE.

PPBS PROGRAM  
DESIGNATION: ATG 100.

OTHER AFFECTED  
AGENCIES: Employer-Union Health Benefits Trust Fund,  
Employer-Union Helath Benefits Trust Fund  
Board of Trustees, Department of Budget and  
Finance.

EFFECTIVE DATE: Upon approval.