

STAND. COM. REP. NO.

2144

Honolulu, Hawaii

FEB 09 2022

RE: S.B. No. 3046

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3046 entitled:

"A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF THE ATTORNEY GENERAL,"

begs leave to report as follows:

The purpose and intent of this measure is to make 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.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of the Attorney General anticipates incurring litigation expenses before the end of the 2021-2022 fiscal year in ongoing lawsuits where the plaintiffs are seeking substantial amounts of damages. These litigation expenses include retaining expert counsel and expert witnesses for the State's defense. Your Committee further finds that the Department of the Attorney General believes that vigorous legal representation with the judicious use of necessary expert witnesses could avoid costly judgments or minimize exposure of the State in ongoing litigation. Your Committee notes that the emergency appropriation to the Department of the Attorney General



should be used in the pursuit of justice not for the mere pursuit of aggressive litigation practices. This measure will appropriate adequate funds to cover major litigation costs involving the State for fiscal year 2021-2022.

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. 3046 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,



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KARL RHOADS, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3046	JDC, NAM	02-03-22		
<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
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura				✓
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt		✓		
<b>TOTAL</b>	5	1	-	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

\*Only one measure per Record of Votes