

Honolulu, Hawaii

MAR 21 2024

RE: H.B. No. 2340
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2340, H.D. 2, 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 appropriate moneys and approve payments for 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, Department of Corrections and Rehabilitation, Department of Education, and one individual.

Your Committee finds that the State has a responsibility to promptly satisfy all claims against the State upon the resolution of those claims. Your Committee further finds that the timely passage of this measure will help to minimize the State's obligation to pay interest on the various payment amounts.

Your Committee has amended this measure by:

- (1) Appropriating \$110.00 in general funds for a miscellaneous claim by Lien T. Nguyen;



- (2) Appropriating \$1,236.00 in general funds for a miscellaneous claim by Sedring Bulda and Katherine Bulda;
- (3) Appropriating \$7,259.00 in general funds for a miscellaneous claim by Shirokiya Cosmetics, Inc.;
- (4) Appropriating \$550,000.00 in general funds for the settlement in the case of Ralphielyn L.M. Gaston-Lovell v. State of Hawaii, Department of Education;
- (5) Amending the payment requirements for the settlement in the case of Courtney Ledford v. Ethan Ferguson, et al., by:
 - (A) Changing the amount appropriated to the Department of the Attorney General for the settlement of the claim from \$1,250,000.00 to \$750,000.00; and
 - (B) Requiring that the remaining \$500,000.00 of the claim settlement be equally apportioned and paid from the available general funds appropriated by Act 164, Session Laws of Hawaii 2023, to the Department of Human Resources Development and Department of Land and Natural Resources;
- (6) Appropriating \$300,000.00 in general funds for the settlement in the case of Pamela Ann Flanagin (Personal Representative) v. State of Hawaii;
- (7) Amending the payment requirements for the settlement in the case of Leinette Reyes, et al. v. Eric Tanaka, by:
 - (A) Changing the amount appropriated to the Department of the Attorney General for the settlement of the claim from \$2,000,000.00 to \$1,200,000.00; and
 - (B) Requiring that the remaining \$800,000.00 of the claim settlement be paid from the available general funds appropriated by Act 164, Session Laws of Hawaii 2023, to the Department of Public Safety/Corrections and Rehabilitation;



- (8) Appropriating \$750,000.00 in general funds for the settlement in the case of Sherri-Ann Garrett v. State of Hawaii, Department of Human Services;
- (9) Appropriating \$150,000.00 out of the state highway fund for the settlement in the case of Violet Fontes-Ringor v. State of Hawaii;
- (10) Changing the effective date to July 1, 2024; and
- (11) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

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 H.B. No. 2340, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2340, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

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

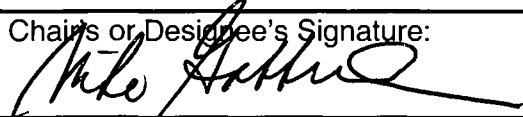


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2340 HD2	JDC, WAM	03/14/24		
<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 type="checkbox"/> Pass, unamended 2312	<input checked="" 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)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	4	—	—	1
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	

*Only one measure per Record of Votes