

STAND. COM. REP. NO.

3718

Honolulu, Hawaii

APR 05 2024

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

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

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2340, H.D. 2, S.D. 1, 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 to satisfy claims against the State, its officers, and its employees.

Your Committee received written comments in support of this measure from the Department of the Attorney General, Department of Corrections and Rehabilitation, Department of Education, Department of Human Services, Department of Land and Natural Resources, and Department of Transportation.

Your Committee received written comments on this measure from the Department of Human Resources Development.

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 that accrues on the claim amounts.



Your Committee has amended this measure by:

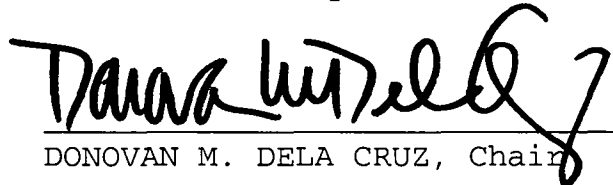
- (1) Making additional appropriations of:
  - (A) \$800,000.00 in general funds for the settlement in the case of Schweitzer v. State of Hawaii;
  - (B) \$1,000,000.00 in general funds for the settlement in the case of A.B. v. Department of Education;
  - (C) \$1,800,000.00 in general funds for the settlement in the case of C.K., J.M., and T.M. v. Department of Human Resources;
  - (D) \$35,961.64 out of the state highway fund for the settlement in the case of Allstate Insurance Company v. State of Hawaii Department of Transportation; and
  - (E) \$265.00 in general funds for a miscellaneous claim by Jessie J. McMorrow and Kevin B. McMorrow;
- (2) 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 to satisfy the claim from \$750,000.00 to \$1,250,000.00; and
  - (B) Deleting the requirement that \$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;
- (3) 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 \$1,200,000.00 to \$2,000,000.00; and



- (B) Deleting the requirement that \$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;
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (5) Making a technical nonsubstantive amendment for the purpose of consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2340, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2340, H.D. 2, S.D. 2.

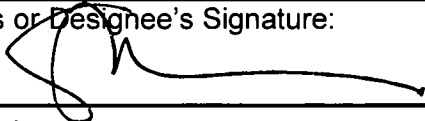
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

|  |  |                          |          |          |
|--|--|--------------------------|----------|----------|
| Bill / Resolution No.:*<br><b>HB2340 HDZ SDI</b>   | Committee Referral:<br><b>JDC, WAM</b> | Date:<br><b>4/3/2024</b> |          |          |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |  |                          |          |          |
| The Recommendation is:<br><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  |
| DELA CRUZ, Donovan M. (C)  | X                                      |                          |          |          |
| MORIWAKI, Sharon Y. (VC)   | X                                      |                          |          |          |
| AQUINO, Henry J.C.   | X                                      |                          |          |          |
| DECOITE, Lynn  |  |                          |          | X        |
| HASHIMOTO, Troy N.   | X                                      |                          |          |          |
| INOUE, Lorraine R.   | X                                      |                          |          |          |
| KANUHA, Dru Mamo   | X                                      |                          |          |          |
| KIDANI, Michelle N.  |  |                          |          | X        |
| KIM, Donna Mercado   | X                                      |                          |          |          |
| LEE, Chris   | X                                      |                          |          |          |
| SHIMABUKURO, Maile S.L.  | X                                      |                          |          |          |
| WAKAI, Glenn   | X                                      |                          |          |          |
| FEVELLA, Kurt  | X                                      |                          |          |          |
|  |  |                          |          |          |
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|  |  |                          |          |          |
| <b>TOTAL</b>   | <b>11</b>                              | <b>0</b>                 | <b>0</b> | <b>2</b> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                          |          |          |
| Chair's or Designee's Signature:<br>  |  |                          |          |          |
| <b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod<br>File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy |  |                          |          |          |

**\*Only one measure per Record of Votes**