
A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS
OFFICERS, OR ITS EMPLOYEES.

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

1 PART I

2 SECTION 1. The following sums or so much thereof as may be
3 necessary for fiscal year 2016-2017 are appropriated out of the
4 general revenues of the State of Hawaii to the department of the
5 attorney general for the purpose of satisfying claims for
6 legislative relief as to the following named persons, firms,
7 corporations, and entities, for claims against the State or its
8 officers or employees for the overpayment of taxes, or for
9 refunds, reimbursements, payments of judgments or settlements,
10 or other liabilities, in the amounts set forth opposite their
11 names:

12	JUDGMENTS AGAINST THE STATE	AMOUNT
13	AND SETTLEMENTS OF CLAIMS:	
14		
15	1. DEPARTMENT OF EDUCATION:	
16		
17	Westbrook, et al. v. State of Hawaii, et al.	\$ 21,000.00
18	Civil No. 12-1-1596-06, First Circuit	Settlement
19		<hr/>
20		
21	SUBTOTAL:	\$ 21,000.000



1	2.	HAWAII CAMPAIGN SPENDING COMMISSION:		
2				
3		Yamada, et al. v. Snipes, et al.	\$	66,701.10
4		Civil No. 10-00497, USDC		Judgment
5		Ninth Circuit No. 12-17845		
6				<hr/>
7		SUBTOTAL:	\$	66,701.10
8				
9	3.	DEPARTMENT OF PUBLIC SAFETY:		
10				
11		Antoque v. State of Hawaii, et al.	\$	35,000.00
12		Civil No. 15-1-0262, Third Circuit		Settlement
13				
14		Freitas, et al. v. Gillespie, et al.	\$	400,000.00
15		Civil No. 13-1-0365, Fifth Circuit		Settlement
16				
17		Leolao, et al. v. State of Hawaii, et al.	\$	60,000.00
18		Civil No. 13-1-3038-11, First Circuit		Settlement
19		First Circuit		
20				
21		Obata v. State of Hawaii, et al.	\$	20,000.00
22		Civil No. 14-1-1660-07 KTN,		Settlement
23				
24		Sullivan, et al. v. State of Hawaii, et al.	\$	48,000.00
25		Civil No. 15-1-2429-12 VLC, First Circuit		Settlement
26				<hr/>
27				
28		SUBTOTAL:	\$	563,000.00
29				
30	4.	DEPARTMENT OF HUMAN SERVICES:		
31				
32		Carroll, et al. v. Camit, et al.	\$	18,500.00
33		Civil No. 12-1-0622(2), Second Circuit		Settlement
34				<hr/>
35				
36		SUBTOTAL:	\$	18,500.00
37				



1	5.	MISCELLANEOUS CLAIMS:		
2				
3		Eaton Arakaki	\$	557.99
4				
5		Paquito and Natividad Dimaya	\$	1,001.00
6				
7		Ronald Martinez, Jr.	\$	92.00
8				
9		Kan Shimada	\$	250.00
10				
11				
12		SUBTOTAL:	\$	1,900.99
13				
14		Total (SECTION 1):	\$	671,102.09

15 The sums appropriated shall be expended by the department
16 of the attorney general for the purposes of this Act.

17 PART II

18 SECTION 2. The following sums or so much thereof as may be
19 necessary for fiscal year 2016-2017 are appropriated out of the
20 state highway fund for the purpose of satisfying claims for
21 legislative relief as to the following named persons, for claims
22 against the State or its officers or employees for payments of
23 judgments or settlements, or other liabilities, in the amount
24 set forth opposite their names:

25	JUDGMENTS AGAINST THE STATE	AMOUNT
26	AND SETTLEMENTS OF CLAIMS:	
27		
28	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
29		
30	Burley v. State of Hawaii	\$ 85,000.00



1	Civil No. 14-1-2102-10, First Circuit	Settlement
2		
3	Lee, et al. v. Tavai, et al.	\$ 1,565,154.00
4	Civil No. 14-1-1659-07, First Circuit	Settlement
5		
6	Lopez, et al. v. State of Hawaii	\$ 3,901,866.44
7	Civil No. 13-1-0885(2), Second Circuit	Settlement
8		
9		
10	SUBTOTAL:	\$ 5,552,020.44
11		
12	TOTAL (SECTION 2)	\$ 5,552,020.44

13
14 The sums appropriated shall be expended by the department
15 of transportation, highways division, for the purposes of this
16 Act.

17 PART III

18 SECTION 3. The following sums or so much thereof as may be
19 necessary for fiscal year 2016-2017 are appropriated out of the
20 harbor special fund for the purpose of satisfying claims for
21 legislative relief as to the following named persons, for claims
22 against the State or its officers or employees for payments of
23 judgments or settlements, or other liabilities, in the amount
24 set forth opposite their names:

25	JUDGMENTS AGAINST THE STATE	AMOUNT
26	AND SETTLEMENTS OF CLAIMS:	
27		
28	DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION:	
29		
30	Smith v. State of Hawaii, et al.	\$ 116,000.00



1	Civil No. 15-1-0549-03, First Circuit	Settlement
2		<hr/>
3		
4	SUBTOTAL:	\$ 116,000.00
5		
6	TOTAL (SECTION 3)	\$ 116,000.00

7 The sums appropriated shall be expended by the department
8 of transportation, harbors division, for the purposes of this
9 Act.

10 PART IV

11 SECTION 4. The sums hereinabove may be paid to the
12 respective persons, or for the satisfaction or settlement of the
13 respectively identified cases, and in several amounts
14 hereinabove set forth or in lesser amounts deemed appropriate,
15 upon checks issued by the comptroller; provided departments
16 shall obtain the approval of the attorney general before payment
17 of any claim can be made.

18 SECTION 5. Notwithstanding the sums hereinabove stated as
19 interest upon judgments against the State, payment of interest
20 shall be limited to the period from the date of judgment, if
21 applicable, to thirty days after the effective date of this Act,
22 as provided in section 662-8, Hawaii Revised Statutes, for those
23 cases to which the statute applies.



1 SECTION 6. All unexpended and unencumbered balances of the
2 appropriations made in this Act as of the close of business on
3 June 30, 2018, shall lapse.

4 SECTION 7. If any provision of this Act, or the
5 application thereof to any person or circumstance is held
6 invalid, the invalidity does not effect other provisions or
7 applications of the Act, which can be given effect without the
8 invalid provision or application, and to this end the provisions
9 of this Act are severable.

10 SECTION 8. This Act shall take effect upon its approval.



Report Title:

Claims Against the State

Description:

Makes appropriations for claims against the State, its officers, and its employees. (HB1022 HD1)

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

