
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:

PART I

1
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		
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				
7		The Committee to Elect Julia Allen, et al. v.		
8		Campaign Spending Commission, et al.	\$	2,415.00
9		Civil No. 15-1-1147-06, First Circuit		Settlement
10				
11				
12		SUBTOTAL:	\$	69,116.10
13				
14	3.	DEPARTMENT OF LAND AND NATURAL RESOURCES:		
15				
16		Claim of First Insurance Company		
17		of Hawaii, Inc.	\$	18,000.00
18				Settlement
19				
20				
21		SUBTOTAL:	\$	18,000.00
22				
23	4.	LAND USE COMMISSION:		
24				
25		Bridge Aina Le'a, LLC v. State of Hawaii		
26		Land Use Commission	\$	1.00
27		Civil No. 11-00414 SOM KJM, USDC		Settlement
28				
29				
30		SUBTOTAL:	\$	1.00
31				
32	5.	DEPARTMENT OF PUBLIC SAFETY:		
33				
34		Antoque v. State of Hawaii, et al.	\$	35,000.00
35		Civil No. 15-1-0262, Third Circuit		Settlement
36				
37		Freitas, et al. v. Gillespie, et al.	\$	400,000.00
38		Civil No. 13-1-0365, Fifth Circuit		Settlement
39				
40		Leolao, et al. v. State of Hawaii, et al.	\$	60,000.00
41		Civil No. 13-1-3038-11, First Circuit		Settlement



1			
2	Obata v. State of Hawaii, et al.	\$	20,000.00
3	Civil No. 14-1-1660-07 KTN,		Settlement
4			
5	Sullivan, et al. v. State of Hawaii, et al.	\$	48,000.00
6	Civil No. 15-1-2429-12 VLC, First Circuit		Settlement
7			
8	Muller v. State of Hawaii, et al.	\$	80,000.00
9	Civil No. 14-1-2133-10, First Circuit		Settlement
10			
11			
12	SUBTOTAL:	\$	643,000.00
13			
14	6. DEPARTMENT OF HUMAN SERVICES:		
15			
16	Carroll, et al. v. Camit, et al.	\$	18,500.00
17	Civil No. 12-1-0622(2), Second Circuit		Settlement
18			
19	Ah Chong, et al. v. McManaman	\$	1,100,000.00
20	Civil No. 13-00663 LEK-KSC, USDC		Settlement
21			
22	J.E., et al. v. Wong, et al.	\$	396,858.00
23	Civil No. 14-00399 HG-KJM, USDC		Settlement
24			
25	Sheehey, et al. v. State of Hawaii	\$	2,341,103.10
26	Civil No. 14-1-1709-08 VLC, First Circuit		Settlement
27			
28			
29	SUBTOTAL:	\$	3,856,461.10
30			
31	7. MISCELLANEOUS CLAIMS:		
32			
33	Eaton Arakaki	\$	557.99
34			
35	Paquito and Natividad Dimaya	\$	1,001.00
36			
37	Ronald Martinez, Jr.	\$	92.00
38			
39	Kan Shimada	\$	250.00
40			
41	Shigeko Kiyojima	\$	697.00



1			
2	Kiyomi Young	\$	399.60
3			
4	Jocelyn Valdez	\$	837.00
5			
6			
7	SUBTOTAL:	\$	3,834.59
8			
9	Total (SECTION 1):	\$	4,611,412.79

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

12 **PART II**

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

20	JUDGMENTS AGAINST THE STATE		AMOUNT
21	AND SETTLEMENTS OF CLAIMS:		
22			
23	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:		
24			
25	Burley v. State of Hawaii	\$	85,000.00
26	Civil No. 14-1-2102-10, First Circuit		Settlement
27			
28	Lee, et al. v. Tavai, et al.	\$	1,565,154.00
29	Civil No. 14-1-1659-07, First Circuit		Settlement
30			



1	Lopez, et al. v. State of Hawaii	\$ 3,901,866.44
2	Civil No. 13-1-0885(2), Second Circuit	Settlement
3		
4	Kawamura, et al. v. State of Hawaii, et al.	\$ 95,000.00
5	Civil No. 11-1-0311, Fifth Circuit	Settlement
6		
7		<hr/>
8	SUBTOTAL:	\$ 5,647,020.44
9		
10	TOTAL (SECTION 2)	\$ 5,647,020.44
11		

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

15 **PART III**

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

23	JUDGMENTS AGAINST THE STATE	AMOUNT
24	AND SETTLEMENTS OF CLAIMS:	
25		
26	DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION:	
27		
28	Smith v. State of Hawaii, et al.	\$ 116,000.00
29	Civil No. 15-1-0549-03, First Circuit	Settlement
30		<hr/>



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 on January 7, 2059.

11



Report Title:

Claims Against the State; Appropriations

Description:

Makes appropriations for claims against the State, its officers, and its employees. Takes effect on 1/7/2059. (SD1)

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

