

| | | | | |
|----|----|---|----|--------------|
| 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 | | Silva v. State of Hawaii, et al. | \$ | 75,000.00 |
| 21 | | Civil No. 15-1-269K, Third Circuit | | Settlement |
| 22 | | | | |
| 23 | | | | |
| 24 | | SUBTOTAL: | \$ | 93,000.00 |
| 25 | | | | |
| 26 | 4. | LAND USE COMMISSION: | | |
| 27 | | | | |
| 28 | | Bridge Aina Le'a, LLC v. State of Hawaii | | |
| 29 | | Land Use Commission | \$ | 1,000,000.00 |
| 30 | | Civil No. 11-00414 SOM KJM, USDC | | Settlement |
| 31 | | | | |
| 32 | | | | |
| 33 | | SUBTOTAL: | \$ | 1,000,000.00 |
| 34 | | | | |
| 35 | 5. | DEPARTMENT OF PUBLIC SAFETY: | | |
| 36 | | | | |
| 37 | | Antoque v. State of Hawaii, et al. | \$ | 35,000.00 |
| 38 | | Civil No. 15-1-0262, Third Circuit | | Settlement |
| 39 | | | | |
| 40 | | Freitas, et al. v. Gillespie, et al. | \$ | 400,000.00 |
| 41 | | Civil No. 13-1-0365, Fifth Circuit | | Settlement |



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| 1 | | | |
| 2 | Leolao, et al. v. State of Hawaii, et al. | \$ | 60,000.00 |
| 3 | Civil No. 13-1-3038-11, First Circuit | | Settlement |
| 4 | | | |
| 5 | Obata v. State of Hawaii, et al. | \$ | 20,000.00 |
| 6 | Civil No. 14-1-1660-07 KTN, First Circuit | | Settlement |
| 7 | | | |
| 8 | Sullivan, et al. v. State of Hawaii, et al. | \$ | 48,000.00 |
| 9 | Civil No. 15-1-2429-12 VLC, First Circuit | | Settlement |
| 10 | | | |
| 11 | Muller v. State of Hawaii, et al. | \$ | 80,000.00 |
| 12 | Civil No. 14-1-2133-10, First Circuit | | Settlement |
| 13 | | | |
| 14 | | | |
| 15 | SUBTOTAL: | \$ | 643,000.00 |
| 16 | | | |
| 17 | 6. DEPARTMENT OF HUMAN SERVICES: | | |
| 18 | | | |
| 19 | Carroll, et al. v. Camit, et al. | \$ | 18,500.00 |
| 20 | Civil No. 12-1-0622(2), Second Circuit | | Settlement |
| 21 | | | |
| 22 | Ah Chong, et al. v. McManaman | \$ | 1,100,000.00 |
| 23 | Civil No. 13-00663 LEK-KSC, USDC | | Settlement |
| 24 | | | |
| 25 | J.E., et al. v. Wong, et al. | \$ | 396,858.00 |
| 26 | Civil No. 14-00399 HG-KJM, USDC | | Settlement |
| 27 | | | |
| 28 | Rooney, et al. v. State of Hawaii, et al. | \$ | 875,000.00 |
| 29 | Civil No. 14-0323(2), Second Circuit | | Settlement |
| 30 | | | |
| 31 | Sheehey, et al. v. State of Hawaii | \$ | 2,341,103.10 |
| 32 | Civil No. 14-1-1709-08 VLC, First Circuit | | Settlement |
| 33 | | | |
| 34 | | | |
| 35 | SUBTOTAL: | \$ | 4,731,461.10 |
| 36 | | | |
| 37 | 7. MISCELLANEOUS CLAIMS: | | |
| 38 | | | |
| 39 | Eaton Arakaki | \$ | 557.99 |
| 40 | | | |
| 41 | Paquito and Natividad Dimaya | \$ | 1,001.00 |



| | | | |
|----|----------------------|----|--------------|
| 1 | | | |
| 2 | Ronald Martinez, Jr. | \$ | 92.00 |
| 3 | | | |
| 4 | Kan Shimada | \$ | 250.00 |
| 5 | | | |
| 6 | Shigeko Kiyojima | \$ | 697.00 |
| 7 | | | |
| 8 | Kiyomi Young | \$ | 399.60 |
| 9 | | | |
| 10 | Jocelyn Valdez | \$ | 837.00 |
| 11 | | | |
| 12 | | | |
| 13 | SUBTOTAL: | \$ | 3,834.59 |
| 14 | | | |
| 15 | Total (SECTION 1): | \$ | 6,561,411.79 |

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

18 **PART II**

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

| 26 | JUDGMENTS AGAINST THE STATE | AMOUNT |
|----|--|--------|
| 27 | AND SETTLEMENTS OF CLAIMS: | |
| 28 | | |
| 29 | DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION: | |
| 30 | | |



| | | |
|----|---|-----------------|
| 1 | Burley v. State of Hawaii | \$ 85,000.00 |
| 2 | Civil No. 14-1-2102-10, First Circuit | Settlement |
| 3 | | |
| 4 | Lee, et al. v. Tavai, et al. | \$ 1,565,154.00 |
| 5 | Civil No. 14-1-1659-07, First Circuit | Settlement |
| 6 | | |
| 7 | Lopez, et al. v. State of Hawaii | \$ 3,901,866.44 |
| 8 | Civil No. 13-1-0885(2), Second Circuit | Settlement |
| 9 | | |
| 10 | Kawamura, et al. v. State of Hawaii, et al. | \$ 95,000.00 |
| 11 | Civil No. 11-1-0311, Fifth Circuit | Settlement |
| 12 | | |
| 13 | | <hr/> |
| 14 | SUBTOTAL: | \$ 5,647,020.44 |
| 15 | | |
| 16 | TOTAL (SECTION 2) | \$ 5,647,020.44 |

17
18 The sums appropriated shall be expended by the department
19 of transportation, highways division, for the purposes of this
20 Act.

21 **PART III**

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



| 1 | JUDGMENTS AGAINST THE STATE | AMOUNT |
|----|---|---------------|
| 2 | AND SETTLEMENTS OF CLAIMS: | |
| 3 | | |
| 4 | DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION: | |
| 5 | | |
| 6 | Smith v. State of Hawaii, et al. | \$ 116,000.00 |
| 7 | Civil No. 15-1-0549-03, First Circuit | Settlement |
| 8 | | <hr/> |
| 9 | | |
| 10 | SUBTOTAL: | \$ 116,000.00 |
| 11 | | |
| 12 | TOTAL (SECTION 3) | \$ 116,000.00 |

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

16 **PART IV**

17 SECTION 4. The following sums or so much thereof as may be
18 necessary for fiscal year 2016-2017 are appropriated out of the
19 airport revenue fund for the purpose of satisfying claims for
20 legislative relief in the following case, to be paid exclusively
21 to those subcontractors and suppliers for work and supplies that
22 have been provided and accepted as reasonable and appropriate by
23 the department of transportation, airports division, for claims
24 against the State or its officers or employees for payments of
25 judgments or settlements, or other liabilities, in the amount
26 set forth below:



| 1 JUDGMENTS AGAINST THE STATE | AMOUNT |
|--|------------------|
| 2 AND SETTLEMENTS OF CLAIMS: | |
| 3 | |
| 4 DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION: | |
| 5 | |
| 6 Helix Electric, Inc. v. DCK Pacific | |
| 7 Construction, LLC, et al., | \$ 10,080,000.00 |
| 8 Civil No. 16-1-1090-06, First Circuit | Settlement |
| 9 | <hr/> |
| 10 | |
| 11 SUBTOTAL: | \$ 10,080,000.00 |
| 12 | |
| 13 TOTAL (SECTION 4) | \$ 10,080,000.00 |

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

17 **PART V**

18 SECTION 5. The sums hereinabove may be paid to the
19 respective persons, or for the satisfaction or settlement of the
20 respectively identified cases, and in several amounts
21 hereinabove set forth or in lesser amounts deemed appropriate,
22 upon checks issued by the comptroller; provided departments
23 shall obtain the approval of the attorney general before payment
24 of any claim can be made.

25 SECTION 6. Notwithstanding the sums hereinabove stated as
26 interest upon judgments against the State, payment of interest
27 shall be limited to the period from the date of judgment, if



1 applicable, to thirty days after the effective date of this Act,
2 as provided in section 662-8, Hawaii Revised Statutes, for those
3 cases to which the statute applies.

4 SECTION 7. All unexpended and unencumbered balances of the
5 appropriations made in this Act as of the close of business on
6 June 30, 2018, shall lapse.

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

13 SECTION 9. This Act shall take effect upon its approval.



Report Title:

Claims Against the State; Appropriations

Description:

Makes appropriations for claims against the State, its officers, and its employees. (SD2)

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

