
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 2018-2019 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 THE ATTORNEY GENERAL: | |
| 16 | | |
| 17 | Aloha Pregnancy Care and Counseling | \$ 20,344.50 |
| 18 | Center, Inc. v. Suzuki, et al. | Settlement |
| 19 | Civil No. 17-00343, USDC | |



| | | | |
|----|--|----|------------|
| 1 | Calvary Chapel Pearl Harbor, d/b/a | \$ | 40,000.00 |
| 2 | A Place for Women in Waipio, et al. | | Settlement |
| 3 | v. Suzuki, et al. | | |
| 4 | Civil No. 17-00326, USDC | | |
| 5 | | | |
| 6 | 2. DEPARTMENT OF EDUCATION: | | |
| 7 | | | |
| 8 | Miller-Potter v. State of Hawaii, et al. | \$ | 75,000.00 |
| 9 | Civil No. 16-1-0385K, Third Circuit | | Settlement |
| 10 | | | |
| 11 | 3. DEPARTMENT OF HEALTH: | | |
| 12 | | | |
| 13 | Kawamoto, et al. v. Ige, et al. | \$ | 27,500.00 |
| 14 | Civil No. 16-00362, USDC | | Settlement |
| 15 | | | |
| 16 | 4. DEPARTMENT OF HUMAN SERVICES: | | |
| 17 | | | |
| 18 | Doe 1, John, et al. v. Department of | \$ | 585,000.00 |
| 19 | Human Services, et al. | | Settlement |
| 20 | Civil No. 14-1-0554(2), Second Circuit | | |
| 21 | | | |
| 22 | Kawamoto, et al. v. Ige, et al. | \$ | 27,500.00 |
| 23 | Civil No. 16-00362, USDC | | Settlement |
| 24 | | | |
| 25 | 5. DEPARTMENT OF LAND AND NATURAL RESOURCES: | | |
| 26 | | | |
| 27 | Boucher v. Vitousek, et al. | \$ | 70,000.00 |
| 28 | Civil No. 16-1-155K, Third Circuit | | Settlement |
| 29 | | | |
| 30 | Umberger, et al. v. Department of Land | \$ | 160,645.29 |
| 31 | and Natural Resources, State of Hawaii | | Settlement |
| 32 | Civil No. 12-1-2625-10, First Circuit | | |
| 33 | | | |
| 34 | 6. DEPARTMENT OF PUBLIC SAFETY: | | |
| 35 | | | |
| 36 | Fraser v. Lingle, et al. | \$ | 25,000.00 |
| 37 | Civil No. 08-1-0709(1), Second Circuit | | Settlement |
| 38 | | | |
| 39 | Luong v. Sequeira, et al. | \$ | 27,500.00 |
| 40 | Civil No. 16-00613, USDC | | Settlement |



| | | | |
|----|---|----|--------------|
| 1 | Johnson v. Department of Public Safety, | \$ | 18,000.00 |
| 2 | et al. | | Settlement |
| 3 | Civil No. 15-1-0609-04, First Circuit | | |
| 4 | | | |
| 5 | 7. MISCELLANEOUS CLAIMS: | | |
| 6 | | | |
| 7 | Shim Ching | \$ | 40,600.00 |
| 8 | | | |
| 9 | | | |
| 10 | SUBTOTAL | \$ | 1,117,089.79 |
| 11 | | | |
| 12 | TOTAL (SECTION 1) | \$ | 1,117,089.79 |

13
14 The sums appropriated shall be expended by the department
15 of the attorney general for the purposes of this Act.

16 PART II

17 SECTION 2. The following sums or so much thereof as may be
18 necessary for fiscal year 2018-2019 are appropriated out of the
19 state highway fund for the purpose of satisfying claims for
20 legislative relief as to the following named persons, for claims
21 against the State or its officers or employees for payments of
22 judgments or settlements, or other liabilities, in the amount
23 set forth opposite their names:

| | | |
|----|--|---------------|
| 24 | JUDGMENTS AGAINST THE STATE | AMOUNT |
| 25 | AND SETTLEMENTS OF CLAIMS: | |
| 26 | | |
| 27 | DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION: | |



| | | | | |
|---|----|---|----|------------|
| 1 | 1. | Bowles v. Hawaiian Electric Company, et al. | \$ | 12,166.45 |
| 2 | | Civil No. 17-1-0259-02 VLC, First Circuit | | Settlement |
| 3 | | | | <hr/> |
| 4 | | | | |
| 5 | | SUBTOTAL | \$ | 12,166.45 |
| 6 | | | | |
| 7 | | TOTAL (SECTION 2) | \$ | 12,166.45 |
| 8 | | | | |

9 The sums appropriated shall be expended by the department
10 of transportation, highways division, for the purposes of this
11 Act.

12 PART III

13 SECTION 3. The sums hereinabove may be paid to the
14 respective persons, or for the satisfaction or settlement of the
15 respectively identified cases, and in several amounts
16 hereinabove set forth or in lesser amounts deemed appropriate,
17 upon checks issued by the comptroller; provided departments
18 shall obtain the approval of the attorney general before payment
19 of any claim can be made.

20 SECTION 4. Notwithstanding the sums hereinabove stated as
21 interest upon judgments against the State, payment of interest
22 shall be limited to the period from the date of judgment, if
23 applicable, to thirty days after the effective date of this Act,
24 as provided in section 662-8, Hawaii Revised Statutes, for those
25 cases to which the statute applies.



1 SECTION 5. All unexpended and unencumbered balances of the
2 appropriations made in this Act as of the close of business on
3 June 30, 2020, shall lapse.

4 SECTION 6. If any provision of this Act, or the
5 application thereof to any person or circumstance is held
6 invalid, the invalidity does not affect 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 7. 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. (HB942 HD1)

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

