
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 2019-2020 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. MISCELLANEOUS CLAIMS:		
16			
17	Grace Blevins	\$	400.28
18			
19	Kathleen A. Kehlor Harper	\$	809.11
20			
21	John and Deborah Mar	\$	866.75



1	Judith Ross	\$	578.40
2			
3	Barbara H. Ursal	\$	289.20
4			<hr/>
5			
6	SUBTOTAL:	\$	2,943.74
7			
8	TOTAL (SECTION 1):	\$	2,943.74

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

11 PART II

12 SECTION 2. The following sums or so much thereof as may be
13 necessary for fiscal year 2019-2020 are appropriated out of the
14 state highway fund for the purpose of satisfying claims for
15 legislative relief as to the following named persons, for claims
16 against the State or its officers or employees for payments of
17 judgments or settlements, or other liabilities, in the amounts
18 set forth opposite their names:

19	JUDGMENTS AGAINST THE STATE		AMOUNT
20	AND SETTLEMENTS OF CLAIMS:		
21			
22	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:		
23			
24	1. Hayselden, et al. v. State of Hawaii, et al.	\$	300,000.00
25	Civil No. 17-1-0204, Third Circuit		Settlement
26			
27	2. Vares, et al. v. State of Hawaii, et al.	\$	650,000.00
28	Civil No. 16-1-0512-03, First Circuit		Settlement
29			<hr/>
30			



1	SUBTOTAL:	\$ 950,000.00
2	TOTAL (SECTION 2)	\$ 950,000.00

3 The sums appropriated shall be expended by the department
 4 of transportation, highways division, for the purposes of this
 5 Act.

6 PART III

7 SECTION 3. The legislature finds and declares that the
 8 following claim for legislative relief recommended for approval
 9 as to the following named person for claims against the State or
 10 the department of education or its officers or employees for the
 11 payment of judgments or settlements, or other liabilities, in
 12 the amount set forth opposite their name, is approved for
 13 payment:

14	JUDGMENTS AGAINST THE STATE	AMOUNT
15	AND SETTLEMENTS OF CLAIMS:	
16		
17	1. DEPARTMENT OF EDUCATION:	
18		
19	Zhang v. State of Hawaii, et al.	\$ 130,000.00
20	Civil No. 19-1-0824-05, First Circuit	Settlement
21		<hr/>
22		
23	SUBTOTAL	\$ 130,000.00
24		
25	TOTAL (SECTION 3)	\$ 130,000.00



1 Provided that of legislative appropriation item G-2 for the
 2 department of education for fiscal year 2019-2020 in section 3
 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of
 4 \$130,000 shall be expended from the fiscal year 2019-2020 budget
 5 (EDN 150, general funds) by the department of education for the
 6 purposes of this Act.

7 PART IV

8 SECTION 4. The legislature finds and declares that the
 9 following claims for legislative relief recommended for approval
 10 as to the following named persons for claims against the State
 11 or the department of land and natural resources or its officers
 12 or employees for the payment of judgments or settlements, or
 13 other liabilities, in the amount set forth opposite their name,
 14 is approved for payment:

15 JUDGMENTS AGAINST THE STATE	AMOUNT
16 AND SETTLEMENTS OF CLAIMS:	
17	
18 1. DEPARTMENT OF LAND AND NATURAL RESOURCES:	
19	
20 Ching et al. v. Case, et al.	\$ 9,514.99
21 Civil No. 14-1-1085-04, First Circuit	Judgment
22	
23 Gold Coast Neighborhood Association v.	\$ 13,160.94
24 State of Hawaii, Civil No. 07-1-1122-06	Judgment
25 First Circuit	
26	
27 Keauhou Canoe Club v. Department of Land	\$ 9,918.58



1	and Natural Resources, et al.	Judgment
2	Civil No. 13-1-678K, Third Circuit	
3		<hr/>
4		
5	SUBTOTAL	\$ 32,594.51
6		
7	TOTAL (SECTION 4)	\$ 32,594.51

8 Provided that of legislative appropriation item D-9 for the
9 department of land and natural resources for fiscal year 2019-
10 2020 in section 3 of Act 5, Session Laws of Hawaii 2019, the
11 general fund sum of \$32,594.51 shall be expended from the fiscal
12 year 2019-2020 budget (LNR 906, general funds) by the department
13 of land and natural resources for the purposes of this Act.

PART V

15 SECTION 5. The legislature finds and declares that the
16 following claim for legislative relief recommended for approval
17 as to the following named person for claims against the State or
18 the department of public safety or its officers or employees for
19 the payment of judgments or settlements, or other liabilities,
20 in the amount set forth opposite their name, is approved for
21 payment:

22	JUDGMENTS AGAINST THE STATE	AMOUNT
23	AND SETTLEMENTS OF CLAIMS:	
24		
25	1. DEPARTMENT OF PUBLIC SAFETY:	
26		



1	Shiira v. State of Hawaii, et al.	\$	44,946.75
2	Civil No. 13-1-0331, Fifth Circuit		Judgment
3			<hr/>
4			
5	SUBTOTAL	\$	44,946.75
6			
7	TOTAL (SECTION 5)	\$	44,946.75

8 Provided that of legislative appropriation item I-5 for the
9 department of public safety for fiscal year 2019-2020 in section
10 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of
11 \$44,946.75 shall be expended from the fiscal year 2019-2020
12 budget (PSD 406, general funds) by the department of public
13 safety for the purposes of this Act.

14 PART VI

15 SECTION 6. The sums hereinabove may be paid to the
16 respective persons, or for the satisfaction or settlement of the
17 respectively identified cases, and in several amounts
18 hereinabove set forth or in lesser amounts deemed appropriate,
19 upon checks issued by the comptroller; provided departments
20 shall obtain the approval of the attorney general before payment
21 of any claim can be made.

22 SECTION 7. Notwithstanding the sums hereinabove stated as
23 interest upon judgments against the State, payment of interest
24 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 8. All unexpended and unencumbered balances of the
5 appropriations made in this Act as of the close of business on
6 June 30, 2021, shall lapse.

7 SECTION 9. 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 10. This Act shall take effect upon its approval.



Report Title:

Claims Against the State

Description:

Makes appropriations and approves payments for claims against the State, its officers, and its employees. (SD1)

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

