# 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 2020-2021 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 13 14 15	JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:  1. AGRIBUSINESS DEVELOPMENT CORPORATION:				
16 17 18 19	Na Kia'i Kai v. Nakatani, et al. \$ 131,849.19 Civil No. 18-00005, USDC Settlement				
20 21 22 23	SUBTOTAL \$ 131,849.15				

1 2	2.	ALOHA STADIUM AUTHORITY:	
3 4 5		Williams v. Aloha Stadium, et al. Civil No. 19-1-0762-05, First Circuit	\$ 75,000.00 Settlement
6 7 8		SUBTOTAL	\$ 75,000.00
9 10	3.	DEPARTMENT OF THE ATTORNEY GENERAL:	
11 12 13		Nickel v. Connors, et al. Civil No. 20-00330, USDC	\$ 5,000.00 Settlement
14 15 16		SUBTOTAL	\$ 5,000.00
17 18	4.	DEPARTMENT OF EDUCATION:	
19 20 21		Chavis v. State of Hawaii, et al. Civil No. 17-1-1455-09, First Circuit	\$ 77,000.00 Settlement
22 23 24		Kenigton v. State of Hawaii, et al. Civil No. 18-1-1443-09, First Circuit	\$ 80,000.00 Settlement
25 26 27		Unga v. Board of Education, et al. Civil No. 20-0000576, First Circuit	\$ 8,250.00 Settlement
28 29 30		Yoon v. State of Hawaii, et al. Civil No. 15-1-1664-08, First Circuit	\$ 70,000.00 Settlement
31 32 33		SUBTOTAL	\$ 235,250.00
34 35	5.	DEPARTMENT OF HAWAIIAN HOME LANDS:	
36 37 38		Kalima, et al. v. State of Hawaii, et al. Case No. 18-0000068, Supreme Court of the State of Hawaii	\$ 370,418.91 Judgement
39 40 41		SUBTOTAL	\$ 370,418.91

1 2	6.	DEPARTMENT OF HEALTH:		
3 4 5		Dasalia, et al. v. Onaka, et al. Civil No. 13-1-0373-02, First Circuit	\$	44,903.62 Judgment
6 7 8		SUBTOTAL	\$	44,903.62
9	7.	DEPARTMENT OF LAND AND NATURAL RESOURCES:		
10 11 12 13		Mahuka, et al. v. Mansker, et al. Civil No. 17-1-0973-06, First Circuit	\$	115,000.00 Settlement
14 15 16		SUBTOTAL	\$	115,000.00
17	8.	DEPARTMENT OF PUBLIC SAFETY:		
18 19 20 21		Iuli v. State of Hawaii, et al. Civil No. 19-1-0634-04, First Circuit	\$	100,000.00 Settlement
22 23 24		SUBTOTAL	\$	100,000.00
25	9.	HAWAII STATE PUBLIC CHARTER SCHOOL COMMISSION	ON:	
26 27 28 29		Miller-Potter v. State of Hawaii, et al. Civil No. 16-1-0385K, Third Circuit	\$	75,000.00 Settlement
30 31 32		HGEA/AFSCME on Behalf of Ardith Renteria, and Charter Volcano School of Arts and Sciences	\$	74,053.25 Judgment
33		SUBTOTAL	\$	149,053.25
34 35	10.	MISCELLANEOUS CLAIMS:		
36 37 38		Gregory Au	\$	240.00
39 40		Caitlyn LD Cagaoan	\$	50.00
41		Christopher Carreon	\$	815.40

## S.B. NO. 5.D. 1 H.D. 2

1 2 3	Holiday Jewelers of Hawaii, Inc.	\$	1,080.21
3 4 5	Melvin Ishizu	\$	6,041.40
6	Robert D. Linn	\$	728.00
7 8 9	Matthew Lutey	\$	94.00
10	Mercede Nacion	\$	150.00
11 12	Barbara J. Nakagawa	\$	75.00
13 14	Donna Noguchi	\$	503.00
15 16	Leon Richards	\$	2,297.45
17 18	Gregory and Sarah Rocheleau	\$	1,367.00
19 20	Jerome and Anne Ryan	\$	5,536.61
21 22	Waste Management of Hawaii, Inc.	\$	15,654.47
23 24	Lana Wold	\$	2,105.55
25 26	Cycle City, Ltd.	\$	27,757.15
27 28	John A. Ferreiro Irrevocable Residuary		
29 30	Trust B	\$	29,161.47
31 32	Mid-Pacific Country Club	\$ 	10,032.14
33 34	SUBTOTAL:	\$	103,688.85
35 36	TOTAL (SECTION 1):	\$	1,330,163.78
37	The sums appropriated shall be expended by	the	department

of the attorney general for the purposes of this Act.

38

### S.B. NO. 5.D. 1 H.D. 2 C.D. 1

1	PART II				
2	SECTION 2. The following sums or so much thereof as may be				
3	necessary for fiscal year 2020-2021 are appropriated out of the				
4	state highway fund for the purpose of satisfying claims for				
5	legislative relief as to the following named persons, for claims				
6	against the State or its officers or employees for payments of				
7	judgments or settlements, or other liabilities, in the amounts				
8	set forth opposite their names:				
9 10	JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:	AMOUNT			
12	·				
13 14 15 16	Link v. State of Hawaii Civil No. 20-0000681, First Circuit	\$ 50,000.00 Settlement			
17 18 19	Siu, et al. v. State of Hawaii Civil No. 16-1-1230-06, First Circuit	\$ 995,000.00 Settlement			
20 21 22	SUBTOTAL	\$ 1,045,000.00			
23 24	TOTAL (SECTION 2):	\$ 1,045,000.00			
25	The sums appropriated shall be expended by t	he department			
26	of transportation, highways division, for the purp	poses of this			
27	Act.				
28	PART III				

- 1 SECTION 3. The sums hereinabove may be paid to the
- 2 respective persons, or for the satisfaction or settlement of the
- 3 respectively identified cases, and in several amounts
- 4 hereinabove set forth or in lesser amounts deemed appropriate,
- 5 upon checks issued by the comptroller; provided that departments
- 6 shall obtain the approval of the attorney general before payment
- 7 of any claim may be made.
- 8 SECTION 4. Notwithstanding the sums hereinabove stated as
- 9 interest upon judgments against the State, payment of interest
- 10 shall be limited to the period from the date of judgment, if
- 11 applicable, to thirty days after the effective date of this Act,
- 12 as provided in section 662-8, Hawaii Revised Statutes, for those
- 13 cases to which the statute applies.
- 14 SECTION 5. All unexpended and unencumbered balances of the
- 15 appropriations made in this Act as of the close of business on
- 16 June 30, 2022, shall lapse.
- 17 SECTION 6. If any provision of this Act, or the
- 18 application thereof to any person or circumstance is held
- 19 invalid, the invalidity does not affect other provisions or
- 20 applications of the Act, which can be given effect without the

- 1 invalid provision or application, and to this end the provisions
- 2 of this Act are severable.
- 3 SECTION 7. This Act shall take effect upon its approval.

S.B. NO. 5.D. 1 H.D. 2 C.D. 1

### Report Title:

Claims Against the State; Appropriations

### Description:

Makes appropriations and approves payments for claims against the State, its officers, and its employees. (CD1)

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