

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 2024-2025 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	Gilbert Collins	\$ 69,113.33
18		
19	Mark Lloyd	\$ 111,733.08
20		
21	Maui Kupono Builders, LLC	\$ 442,504.75



1	(Check No. S0057589)	
2		
3	Maui Kuponu Builders, LLC	\$ 152,665.39
4	(Check No. S0001176)	
5		
6	National Commerce Bank Service	\$ 166,492.00
7		
8	Olinda Country Estates, Inc.	\$ 50,210.67
9		
10	Sarah Ann D. Pacheco	\$ 460.00
11	f/k/a Sarah Ann D. Taylor	
12		
13	Sofia Lerman Estate	\$ 22,674.17
14		
15	Neal M. Tamashiro	\$ 514.00
16		
17	Kiyoji Tanimura	\$ 5,371.00
18		
19	SUBTOTAL:	\$ 1,021,738.39
20		
21	2. DEPARTMENT OF THE ATTORNEY GENERAL:	
22		
23	Billy Peter v. Anne E. Lopez	\$ 28,500.00
24	Civil No. 24-cv-00508 MWJS-RT, USDC	(Judgment)
25		
26	SUBTOTAL:	\$ 28,500.00
27		
28	3. DEPARTMENT OF CORRECTIONS AND REHABILITATION:	
29		
30	Donna Opulento v. State of Hawaii	\$ 100,000.00
31	Department of Public Safety	(Settlement)
32	Civil No. 19-cv-00315-RT, USDC	
33		
34	SUBTOTAL:	\$ 100,000.00
35		
36	4. DEPARTMENT OF DEFENSE:	
37		
38	Paul Aker v. Hawaii Emergency Management	\$ 5,000.00
39	Agency	(Settlement)
40	Civil No. 2CCV-23-0000378, Second Circuit	
41		



1	James Sean Shields v. State of Hawaii	\$ 275,000.00
2	Civil No. 1CC181001897, First Circuit	(Settlement)
3		
4	SUBTOTAL:	<u>\$ 280,000.00</u>
5		
6	5. DEPARTMENT OF EDUCATION:	
7		
8	B.R., M.A., and F.R. v. State of Hawaii	\$ 330,000.00
9	Civil No. 1CCV-20-0000549, First Circuit	(Settlement)
10		
11	Katherine Balatico v. State of Hawaii	\$ 150,000.00
12	Civil No. 22-cv-00415-LEK-KJM, USDC	(Settlement)
13		
14	Child Evangelism Fellowship of Hawaii,	\$ 100,000.00
15	Inc. v. Hawaii State Department of Education	(Judgment)
16	Civil No. 24-cv-00034 MWJS-WRP, USDC	
17		
18	D.O. v. State of Hawaii,	\$ 100,000.00
19	Department of Education	(Settlement)
20	Civil No. 1CCV-20-0000583, First Circuit	
21		
22	Jake Ferreira v. State of Hawaii,	\$ 75,000.00
23	Department of Education	(Settlement)
24	Civil No. 1CCV-23-0000874, First Circuit	
25		
26	Brenda Persinger, Individually and as a	\$ 1,750,000.00
27	Personal Representative of the Estate of	(Settlement)
28	Michael Ambrose, Deceased v. State of Hawaii,	
29	Department of Education	
30	Civil No. 3CCV-22-0000337, Third Circuit	
31		
32	Leonard Ramboyon v. Esther Kanehailua	\$ 140,000.00
33	Civil No. 3CCV-20-0000407, Third Circuit	(Settlement)
34		
35	SUBTOTAL:	<u>\$ 2,645,000.00</u>
36		
37	6. DEPARTMENT OF HAWAIIAN HOME LANDS:	
38		
39	Royal Contracting Co. v.	\$ 400,000.00
40	Department of Hawaiian Home Lands	(Settlement)
41	Civil No. 1CC161001760, First Circuit	



1		
2	SUBTOTAL:	\$ 400,000.00
3		
4	7. DEPARTMENT OF HEALTH:	
5		
6	Jon R. Chung v. State of Hawaii	\$ 50,000.00
7	Civil No. 2CCV-22-0000006, Second Circuit	(Settlement)
8		
9	Kamaka Air, LLC	\$ 298,000.00
10	Tort Claim	(Settlement)
11		
12	SUBTOTAL:	\$ 348,000.00
13		
14	8. DEPARTMENT OF HUMAN SERVICES:	
15		
16	John Roe No. 121 v. State of Hawaii	\$ 512,700.83
17	Civil No. 1CC191001419, First Circuit	(Judgment)
18		
19	SUBTOTAL:	\$ 512,700.83
20		
21	9. DEPARTMENT OF LAND AND NATURAL RESOURCES:	
22		
23	Anela Aplaca v. State of Hawaii	\$ 115,000.00
24	Civil No. 1CCV-23-0000193, First Circuit	(Settlement)
25		
26	Stacy J. Bruhn v. State of Hawaii	\$ 125,000.00
27	Civil No. 1CCV-24-0001600, First Circuit	(Settlement)
28		
29	Healoha Carmichael v. Board of	\$ 26,771.00
30	Land and Natural Resources	(Judgment)
31	Civil No. 1CC-15-1000650, First Circuit	
32		
33	Kona Mike's Surf Adventures, LLC v.	\$ 18,000.00
34	Dawn N.S. Chang	(Settlement)
35	Civil No. CAAP-24-0000645,	
36	Intermediate Court of Appeals	
37		
38	Jennifer L. Reber v. State of Hawaii	\$ 450,000.00
39	Civil No. 5CCV-23-0000053, Fifth Circuit	(Settlement)
40		
41	Brenda Osmer	\$ 100,000.00



1	Tort Claim	(Settlement)
2		
3	SUBTOTAL:	\$ 834,771.00
4		
5	10. DEPARTMENT OF LAW ENFORCEMENT:	
6		
7	Cresencia Espejo v. State of Hawaii	\$ 750,000.00
8	Civil No. 1CCV-21-0000192, First Circuit	(Settlement)
9		
10	SUBTOTAL:	\$ 750,000.00
11		
12	11. DEPARTMENT OF TAXATION:	
13		
14	Deborah Kwan v. State of Hawaii	\$ 32,632.85
15	Civil No. 1CCV-21-0000424, First Circuit	(Settlement)
16		
17	SUBTOTAL:	\$ 32,632.85
18		
19	12. JUDICIARY:	
20		
21	Lisa Ann Daguro v. State of Hawaii	\$ 70,000.00
22	Civil No. 1CCV-20-0001475, First Circuit	(Settlement)
23		
24	SUBTOTAL:	\$ 70,000.00
25		
26	TOTAL (SECTION 1):	\$ 7,023,343.07

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

PART II

SECTION 2. The following sums or so much thereof as may be
necessary for fiscal year 2024-2025 are appropriated out of the
state highway fund for the purpose of satisfying claims for
legislative relief as to the following named persons, for claims
against the State or its officers or employees for payments of



1 judgments or settlements, or other liabilities, in the amount
2 set forth opposite their names:

3 **JUDGMENTS AGAINST THE STATE** **AMOUNT**
4 **AND SETTLEMENTS OF CLAIMS:**

5
6 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:

7		
8	Juan Jimmie Aldeguer v. State of Hawaii	\$ 1,075,000.00
9	Civil No. 1CCV-21-0000052, First Circuit	(Settlement)
10		
11	Estate of Bruce S. Perdue v. State of Hawaii	\$ 175,000.00
12	Civil No. 5CC131000351, Fifth Circuit	(Settlement)
13		
14	Susanna Sigal v. State of Hawaii	\$ 70,000.00
15	Civil No. 1CCV-20-0001486, First Circuit	(Settlement)
16		
17		
18	SUBTOTAL:	<u>\$ 1,320,000.00</u>
19		
20	TOTAL (SECTION 2):	\$ 1,320,000.00

21 The sums appropriated shall be expended by the department
22 of transportation, highways division, for the purposes of this
23 Act.

24 **PART III**

25 SECTION 3. The following sums or so much thereof as may be
26 necessary for fiscal year 2024-2025 are appropriated out of the
27 judiciary funds for the purpose of satisfying claims for
28 legislative relief as to the following named persons, for claims
29 against the State or its officers or employees for payments of



1 judgments or settlements, or other liabilities, in the amount
2 set forth opposite their names:

3	JUDGMENTS AGAINST THE STATE	AMOUNT
4	AND SETTLEMENTS OF CLAIMS:	

6 JUDICIARY:

8	Leanne Rosa v. Randal G.B. Valenciano	\$ 90,000.00
9	Civil No. 23-CV-00315-JAO-WRP, USDC	(Settlement)
10		
11	SUBTOTAL:	\$ 90,000.00
12		
13	TOTAL (SECTION 3):	\$ 90,000.00

14 The sum appropriated shall be expended by the judiciary for
15 the purposes of this Act.

16 PART IV

SECTION 4. In accordance with section 9 of article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that at the beginning of the regular session of 2025, the general fund expenditure ceiling for fiscal year 2024-2025 was exceeded by \$8,551,795, or one per cent. The appropriations contained in Act 1, Session Laws of Hawaii 2025, caused the general fund expenditure ceiling for fiscal year 2024-2025 to be further exceeded by an additional \$30,334,159. Therefore, the



1 general fund expenditure ceiling for fiscal year 2024-2025 has
2 already been exceeded by \$38,885,954, or one per cent.

3 The appropriations contained in this Act will cause the
4 general fund expenditure ceiling for fiscal year 2024-2025 to be
5 further exceeded by \$7,023,343.07, or one per cent. This
6 declaration takes into account the additional general fund
7 appropriations authorized for fiscal year 2024-2025 in this Act
8 only. The reasons for exceeding the general fund expenditure
9 ceiling are that the appropriations made in this Act are
10 necessary to serve the public interest and to meet the needs
11 addressed by this Act.

12 PART V

13 SECTION 5. The sums hereinabove may be paid to the
14 respective persons, firms, corporations, or entities for the
15 satisfaction or settlement of the respectively identified cases,
16 and in several amounts hereinabove set forth or in lesser
17 amounts deemed appropriate, upon checks issued by the
18 comptroller; provided that departments shall obtain the approval
19 of the attorney general before payment of any claim may be made.

20 SECTION 6. Notwithstanding the sums hereinabove stated as
21 interest upon judgments against the State, payment of interest



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

5 SECTION 7. All unexpended and unencumbered balances of the
6 appropriations made in this Act as of the close of business on
7 June 30, 2026, shall lapse.

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

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



H.B. NO. 990
H.D. 2
S.D. 1
C.D. 1

Report Title:

Claims Against the State; Expenditure Ceiling; Appropriations

Description:

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

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

2025-3385 HB990 CD1 HMSO

