

# S B. NO. 1309

JAN 23 2025

## 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:**

### PART I

SECTION 1. The following sums or so much thereof as may be necessary for fiscal year 2024-2025 are appropriated out of the general revenues of the State of Hawaii to the department of the attorney general for the purpose of satisfying claims for legislative relief as to the following named persons, firms, corporations, and entities, for claims against the State or its officers or employees, for the overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other liabilities, in the amounts set forth opposite their names:

#### JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:

#### AMOUNT

##### 1. MISCELLANEOUS CLAIMS:

Maui Kuponu Builders	\$ 442,504.75
Sarah Ann D. Pacheco f/k/a Sarah Ann D. Taylor	\$ 460.00
Kiyoji Tanimura	\$ 5,371.00

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1  
2 SUBTOTAL: \$ 448,335.75

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4 2. DEPARTMENT OF LAND AND NATURAL RESOURCES:

5  
6 Jennifer Reber v. State of Hawaii, \$ 450,000.00  
7 Civil No. 5CCV-23-0000053, Fifth Circuit (Settlement)

8  
9 Brenda Osmer (Tort Claim) \$ 100,000.00  
10 (Settlement)

11  
12 SUBTOTAL: \$ 550,000.00

13  
14 TOTAL (SECTION 1): \$ 998,335.75

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

17 PART II

18 SECTION 2. The following sums or so much thereof as may be  
19 necessary for fiscal year 2024-2025 are appropriated out of the  
20 state highway fund for the purpose of satisfying claims for  
21 legislative relief as to the following named persons, for claims  
22 against the State or its officers or employees for payments of  
23 judgments or settlements, or other liabilities, in the amount  
24 set forth opposite their names:

25 JUDGMENTS AGAINST THE STATE AMOUNT  
26 AND SETTLEMENTS OF CLAIMS:

27  
28 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:

29  
30 Juan Jimmie Lee Aldeguer v. \$ 1,075,000.00  
31 Todd I. Sonoda, (Settlement)  
32 Civil No. 1CCV-21-0000052, First Circuit

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Estate of Bruce Perdue v.	\$ 175,000.00
State of Hawaii,	(Settlement)
Civil No. 5CC131000351, Fifth Circuit	

SUBTOTAL:	<u>\$ 1,250,000.00</u>
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TOTAL (SECTION 2):	\$ 1,250,000.00
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The sums appropriated shall be expended by the department of transportation, highways division, for the purposes of this Act.

## PART III

SECTION 3. The following sums or so much thereof as may be necessary for fiscal year 2024-2025 are appropriated out of the Judiciary funds 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 judgments or settlements, or other liabilities, in the amount set forth opposite their names:

<b>JUDGMENTS AGAINST THE STATE</b>	<b>AMOUNT</b>
<b>AND SETTLEMENTS OF CLAIMS:</b>	

## JUDICIARY:

Leanne Rosa v. Randall G.B. Valenciano	\$ 90,000.00
Civil No. 23-CV-00315-JAO-WRP, USDC	(Settlement)

SUBTOTAL:	<u>\$ 90,000.00</u>
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TOTAL (SECTION 3):	\$ 90,000.00
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1       The sum appropriated shall be expended by the Judiciary for  
2       the purposes of this Act.

## PART IV

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4       SECTION 4. The sums hereinabove may be paid to the  
5       respective persons, firms, corporations, or entities for the  
6       satisfaction or settlement of the respectively identified cases,  
7       and in several amounts hereinabove set forth or in lesser  
8       amounts deemed appropriate, upon checks issued by the  
9       comptroller; provided that departments shall obtain the approval  
10      of the attorney general before payment of any claim may be made.

11      SECTION 5. Notwithstanding the sums hereinabove stated as  
12      interest upon judgments against the State, payment of interest  
13      shall be limited to the period from the date of the judgment, if  
14      applicable, to thirty days after the effective date of this Act,  
15      as provided in section 662-8, Hawaii Revised Statutes, for those  
16      cases to which the statute applies.

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

20      SECTION 7. If any provision of this Act, or the  
21      application thereof to any person or circumstance, is held  
22      invalid, the invalidity does not affect other provisions or

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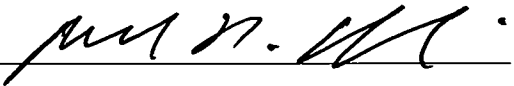
1 applications of the Act that can be given effect without the  
2 invalid provision or application, and to this end the provisions  
3 of this Act are severable.

4 SECTION 8. This Act shall take effect upon its approval.

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INTRODUCED BY:

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7

BY REQUEST

# S.B. NO. 1309

**Report Title:**

Claims Against the State; Appropriations

**Description:**

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

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

## JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.

PURPOSE: To provide for the authorization and payment of claims against the State for refunds of taxes, for judgments and settlements, and for other miscellaneous payments as provided by chapters 37, 661, and 662, Hawaii Revised Statutes.

MEANS: Authorize and appropriate funds for the payment of such claims.

JUSTIFICATION: This bill serves as the vehicle by which claims against the State are transmitted to the Legislature for its consideration. The Legislature will be asked to authorize and fund the payment of such claims by appropriations of general and special funds. Timely passage of this bill will serve to minimize interest on those amounts for which interest is accruing.

Impact on the public: There would be no direct impact on the public other than the persons who claims are being paid.

Impact on the department and other agencies: Claims eligible for payment from a special fund will generally be charged to that special fund rather than the general fund. Certain claims will be paid from a department's appropriation as reflected in the budget bill. In such case, that department will be responsible for finding the moneys in its budget to pay for the judgments and settlements rendered against it.

GENERAL FUND: \$998,335.75.

OTHER FUNDS: \$1,340,000.00.

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PPBS PROGRAM  
DESIGNATION:

Various.

OTHER AFFECTED  
AGENCIES:

Department of Transportation.

EFFECTIVE DATE:

Upon approval.