

---

---

# 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. In accordance with section 9 of article VII of  
3 the Constitution of the State of Hawaii and sections 37-91 and  
4 37-93, Hawaii Revised Statutes, the legislature has determined  
5 that the general fund expenditure ceiling for fiscal year 2023-  
6 2024 has already been exceeded by \$1,005,342,735 or 9.4 per  
7 cent. The appropriations contained in this Act will cause the  
8 state general fund expenditure ceiling for fiscal year 2023-2024  
9 to be further exceeded by \$ or per cent. This  
10 declaration takes into account the additional general fund  
11 appropriation authorized for fiscal year 2023-2024 in this Act  
12 only. The reasons for exceeding the general fund expenditure  
13 ceiling are that:

14 (1) The appropriations made in this Act are necessary to  
15 serve the public interest; and



1 (2) The appropriations made in this Act meet the needs  
2 addressed by this Act.

3 PART II

4 SECTION 2. The following sums or so much thereof as may be  
5 necessary for fiscal year 2023-2024 are appropriated out of the  
6 general revenues of the State of Hawaii to the department of the  
7 attorney general for the purpose of satisfying claims for  
8 legislative relief as to the following named persons, firms,  
9 corporations, and entities, for claims against the State or its  
10 officers or employees, for the overpayment of taxes, or for  
11 refunds, reimbursements, payments of judgments or settlements,  
12 or other liabilities, in the amounts set forth opposite their  
13 names:

14 JUDGMENTS AGAINST THE STATE	AMOUNT
15 AND SETTLEMENTS OF CLAIMS:	
16	
17 1. MISCELLANEOUS CLAIMS:	
18	
19 Amy Chang	\$ 27.00
20	
21 County of Hawaii, Hawaii Fire Department	\$ 360,000.00
22	
23 Employers Insurance Company of Wausau	\$ 147,657.77
24	
25 The Estate of Morris A. Inasaki	\$ 550.00
26	
27 James X He and Yue-Chuen C. Lin	\$ 559.00
28	



1	Laura Ishii	\$	120.00
2			
3	Merrill Lynch Pierce Fenner & Smith	\$	13,824.40
4			
5	Matthew W. Payne	\$	445.00
6			
7	Chaniel Ramo	\$	167.00
8			
9	Two Spirits, Inc.	\$	358,413.97
10			
11	Wallace K. Yashima	\$	3,916.04
12			
13	Wallace Yashima and Hyang-Suk Yashima	\$	746.00
14			
15	SUBTOTAL:	\$	<u>886,426.18</u>
16			
17	2. AGRIBUSINESS DEVELOPMENT CORP:		
18			
19	Ohana Best LLC v. State of Hawaii, et al.	\$	1,250,000.00
20	Civil No. 1CC-19-1001640, First Circuit		(Settlement)
21			
22	SUBTOTAL:	\$	<u>1,250,000.00</u>
23			
24	3. DEPARTMENT OF THE ATTORNEY GENERAL:		
25			
26	Rodney Pagba v. Anne E. Lopez, et al.	\$	5,707.00
27	Civil No. 22-cv-00521 JMS-KJM, USDC		(Settlement)
28			
29	Michael Santucci v. City and County	\$	28,000.00
30	of Honolulu, et al.		(Judgment)
31	Civil No. 22-cv-00142 DKW-KJM, USDC		
32			
33	Smith and Wesson v. Hawaii State	\$	70,468.07
34	Department of the Attorney General		(Judgment)
35	Civil No. 1CCV-22-000353, First Circuit		
36			
37	Todd Yukutake, et al. v. Anne E. Lopez	\$	50,000.00
38	Civil No. 22-cv-00323 JAO-WRP, USDC		(Judgment)
39			
40	SUBTOTAL:	\$	<u>154,175.07</u>
41			



1 4. DEPARTMENT OF EDUCATION:  
2  
3 Amanda Kelly v. Debra Farmer, et al. \$ 50,000.00  
4 Civil No. 1CCV-20-0000825, First Circuit (Settlement)  
5  
6 John Roe No. 122 v. State of Hawaii, et al. \$ 450,000.00  
7 Civil No. 1CCV-19-0002046, First Circuit (Settlement)  
8  
9 SUBTOTAL: \$ 500,000.00  
10  
11 5. DEPARTMENT OF LAND AND NATURAL RESOURCES:  
12  
13 Courtney Ledford v. Ethan Ferguson, et al. \$ 1,250,000.00  
14 Civil No. 17-1-0416, Third Circuit (Settlement)  
15  
16 SUBTOTAL: \$ 1,250,000.00  
17  
18 6. DEPARTMENT OF PUBLIC SAFETY:  
19  
20 Kevin A. Lifoifoi v. State of Hawaii, \$ 60,000.00  
21 Department of Public Safety  
22 Civil No. 2CCV-21-0000067(2), Second Circuit (Settlement)  
23  
24 Leinette Reyes, et al. v. Eric Tanaka \$ 2,000,000.00  
25 Civil No. 17-cv-00143 JAO-KJM, USDC (Settlement)  
26  
27 SUBTOTAL: \$ 2,060,000.00  
28  
29 7. HAWAII PUBLIC HOUSING AUTHORITY:  
30  
31 Edwin Kalamau, Sr. v. \$ 107,695.12  
32 State of Hawaii, et al. (Judgment)  
33 Civil No. 1CCV-22-0000701, First Circuit  
34  
35 SUBTOTAL: \$ 107,695.12  
36  
37 TOTAL (SECTION 2): \$ 6,208,296.37  
38  
39 The sums appropriated shall be expended by the department  
40 of the attorney general for the purposes of this Act.



1 PART III

2 SECTION 3. The following sums or so much thereof as may be  
3 necessary for fiscal year 2023-2024 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 amount  
8 set forth opposite their names:

9 JUDGMENTS AGAINST THE STATE	AMOUNT
10 AND SETTLEMENTS OF CLAIMS:	
11	
12 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
13	
14 Michelle Banks, et al. v.	\$ 3,900,000.00
15 State of Hawaii, et al.,	(Settlement)
16 Civil No. 1CCV-22-0000089, First Circuit	
17	
18 Bianca Chavez v. Department of	\$ 125,000.00
19 Transportation, et al.,	(Settlement)
20 Civil No. 1CC191001542, First Circuit	
21	
22 David Lawrence, et al. v. State of Hawaii	\$ 2,950,000.00
23 Civil No. 2CCV-22-0000273, Second Circuit	(Settlement)
24	
25 Patrick Mitchell, et al. v.	\$ 125,000.00
26 State of Hawaii, et al.,	(Settlement)
27 Civil No. 3CCV-20-0000024, Third Circuit	
28	
29 Charles David Yandell, et al. v. State of	\$ 100,000.00
30 Hawaii Department of Transportation, et al.,	(Settlement)
31 Civil No. 5CCV-21-0000100, Fifth Circuit	
32	
33 SUBTOTAL:	\$ 7,200,000.00



1  
2 TOTAL (SECTION 3): \$ 7,200,000.00

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

7 PART IV

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

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



1 SECTION 6. All unexpended and unencumbered balances of the  
2 appropriations made in this Act as of the close of business on  
3 June 30, 2025, shall lapse.

4 SECTION 7. 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 that 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 8. This Act shall take effect on July 1, 3000.



**Report Title:**

Claims Against the State

**Description:**

Makes appropriations and approves payments for claims against the State, its officers, and its employees. Effective 7/1/3000.  
(HD1)

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

