

DAVID Y. IGE
GOVERNOR



DEPT. COMM. NO. 151

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DANA O. VIOLA
FIRST DEPUTY ATTORNEY GENERAL

December 14, 2020

The Honorable Ronald D. Kouchi
President and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Scott K. Saiki
Speaker and Members of the House of
Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

For your information and consideration, I am transmitting a copy of the Department of the Attorney General's Annual Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies, as required by section 28-16(e), Hawaii Revised Statutes (HRS). In accordance with section 93-16, HRS, I am also informing you that the report may be viewed electronically at <http://ag.hawaii.gov/publications/reports/reports-to-the-legislature/>.

If you have any questions or concerns, please feel free to call me at 586-1500.

Sincerely,

A handwritten signature in blue ink, appearing to be "Clare E. Connors", written over a horizontal line.

Clare E. Connors
Attorney General

c: David Y. Ige, Governor
Josh Green, Lieutenant Governor
Legislative Reference Bureau (Attn.: Karen Mau)
Leslie H. Kondo, State Auditor
Craig K. Hirai, Director of Finance, Department of Budget and Finance
Stacey A. Aldrich, State Librarian, Hawaii State Public Library System
David Lassner, PhD., President, University of Hawaii

Enclosure

State of Hawai‘i
Department of the Attorney General



**REPORT ON
LITIGATION DEPOSITS TRUST FUND TRANSACTIONS
AND
COLLECTIONS MADE ON BEHALF OF OTHER
DEPARTMENTS AND AGENCIES**

**Pursuant to Section 28-16(e),
Hawaii Revised Statutes**

For Fiscal Year 2019 - 2020

**Submitted to
The Thirty-First State Legislature
Regular Session of 2021**

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Overview of the Litigation Deposits Trust Fund

The Litigation Deposits Trust Fund, appropriation number T-909-N, was established pursuant to Act 178, Session Laws of Hawaii 2002, to account for moneys received through any civil action in which the State is a party where the settlement amount is \$100,000 or higher. Pursuant to section 28-16, Hawaii Revised Statutes (HRS), the trust fund is administered by the Department of the Attorney General, which must annually report to the Legislature (1) the transactions, by subsidiary account, that take place in the fund for each fiscal year, and (2) a summary of the collections made in any amount on behalf of other departments and agencies specifying the appropriate number of transactions and amount collected for each department and agency.

During Fiscal Year (FY) 2019-2020, the following significant transactions occurred in the trust fund:

REVENUES:

The fund received \$143,990.00 as a temporary deposit from the Hawaii State Public Library System to be paid for a fine to the Environmental Protection Agency.

EXPENDITURES:

Services to store electronic documents:	\$1,125.00
Paid to Epiq Company related to the tobacco settlement	
Cancer Fund:	\$2,656,979.50
Distribution of liquidated assets to Rockefeller Philanthropy Advisors, Inc.	

Financial Data for Fiscal Years 2018-2019 and 2019-2020

Below are the details of the revenues and expenditures for
this account for FY 2018-2019 and FY 2019-2020:

	FY 2018-2019	FY 2019-2020
Beginning Cash Balance	2,033,938.26	4,037,515.33
Beginning Encumbrances	0.00	0.00
Revenues	2,995,167.45	143,990.00
Expenditures	986,273.94	2,658,104.50
Transfers	5,316.44	0.00
Ending Cash Balance	4,037,515.33	1,523,400.83

Revenues by Source Code – Fiscal Year 2019-2020:

T-20-909-N

Source Code	Description	Revenues
0787	JUDGMENTS AND SETTLEMENTS	143,990.00
Total Revenue:		<u>143,990.00</u>

Expenditures by Object Code - Fiscal Year 2019-2020:

Object Code	Description	Expenditure
7100 - 7199	SERVICES AND FEES	1,125.00
7212	ASSESSMENT	2,656,979.50
Total Expenditures:		<u>2,658,104.50</u>

Collections Made on Behalf of Other Departments and Agencies

Section 28-16(e)(2), HRS, requires the Department to prepare a “summary of the collections made in any amount on behalf of other departments and agencies specifying the appropriate number of transactions and amount collected for each department and agency.” This report is for fiscal year 2019-2020 as follows:

Department/Agency	Collected Amount	Number of Transactions
Department of Attorney General Asset Forfeiture	811,384.00	107
Department of Human Services	10,369,329.62	2,248
Department of Labor and Industrial Relations	245,897.98	125
Department of Transportation	21,521,808.49	119
Department of Taxation	459,328.96	474
Hawaii Health System Corporation	1,428,772.43	4,548
Miscellaneous (Departments of Accounting and General Services (DAGS), Education (DOE), University of Hawaii (UH), Human Resources Development (DHRD), Health (DOH), Land and Natural Resources (DLNR), Attorney General (OAG), Public Safety (PSD), and Judiciary)		
Breakdown below:		
DAGS Campaign Spending Commission	2,504.00	3
DAGS Risk Management	461.00	7
DAGS Subrogation	604.00	5
DOE Salary Overpayment	22,161.14	51
DOE UH Stipend	6,697.03	57
DHRD Worker's Compensation	553.11	11
DOH Dishonored Check	1,193.99	13
DOH Salary Overpayment	8,240.79	3
DLNR Salary Overpayment	0.00	0
DLNR Restitution	1,800.00	8
OAG Labor Division	5,186.91	15
PSD Salary Overpayment	1,439.79	10
Judiciary (Bail Bond Forfeitures)	114,782.00	79
Miscellaneous Total	165,623.76	262
TOTAL	35,002,145.24	7,883