



# GOV. MSG. NO. 1115

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

May 19, 2021

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

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

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

This is to inform you that on May 19, 2021, the following bill was signed into law:

SB1039 SD1 HD2 CD1

**MAKING APPROPRIATIONS FOR CLAIMS  
AGAINST THE STATE, ITS OFFICERS, OR ITS  
EMPLOYEES.  
ACT 015 (21)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

ACT 015

THE SENATE  
THIRTY-FIRST LEGISLATURE, 2021  
STATE OF HAWAII

S.B. NO. 1039  
S.D. 1  
H.D. 2  
C.D. 1

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 2020-2021 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. AGRIBUSINESS DEVELOPMENT CORPORATION:	
Na Kia'i Kai v. Nakatani, et al. Civil No. 18-00005, USDC	\$ 131,849.15 Settlement
	_____
SUBTOTAL	\$ 131,849.15



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



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



1			
2	Holiday Jewelers of Hawaii, Inc.	\$	1,080.21
3			
4	Melvin Ishizu	\$	6,041.40
5			
6	Robert D. Linn	\$	728.00
7			
8	Matthew Lutey	\$	94.00
9			
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	Trust B	\$	29,161.47
30			
31	Mid-Pacific Country Club	\$	10,032.14
32			
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  
38 of the attorney general for the purposes of this Act.



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 JUDGMENTS AGAINST THE STATE 10 AND SETTLEMENTS OF CLAIMS:	AMOUNT
11 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
12 Link v. State of Hawaii	\$ 50,000.00
13 Civil No. 20-0000681, First Circuit	Settlement
14 Siu, et al. v. State of Hawaii	\$ 995,000.00
15 Civil No. 16-1-1230-06, First Circuit	Settlement
16 SUBTOTAL	\$ 1,045,000.00
17 TOTAL (SECTION 2):	\$ 1,045,000.00

18 The sums appropriated shall be expended by the department  
19 of transportation, highways division, for the purposes of this  
20 Act.

21 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.

APPROVED this 19 day of MAY, 2021

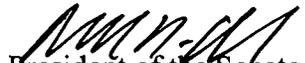


GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 27, 2021  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai'i, Regular Session of 2021.

  
President of the Senate

  
Clerk of the Senate

SB No. 1039, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives