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# 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 2020-2021 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	Gregory Au	\$	240.00
18			
19	Caitlyn LD Cagaoan	\$	50.00
20			
21	Christopher Carreon	\$	815.40



1	Holiday Jewelers of Hawaii, Inc.	\$	1,080.21
2			
3	Melvin Ishizu	\$	6,041.40
4			
5	Robert D. Linn	\$	728.00
6			
7	Matthew Lutey	\$	94.00
8			
9	Mercede Nacion	\$	150.00
10			
11	Barbara J. Nakagawa	\$	75.00
12			
13	Donna Noguchi	\$	503.00
14			
15	Leon Richards	\$	2,297.45
16			
17	Gregory and Sarah Rocheleau	\$	1,367.00
18			
19	Jerome and Anne Ryan	\$	5,536.61
20			
21	Waste Management of Hawaii, Inc.	\$	15,654.47
22			
23	Lana Wold	\$	2,105.55
24			
25			
26	SUBTOTAL:	\$	36,738.09
27			
28	TOTAL (SECTION 1):	\$	36,738.09

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

31 PART II

32 SECTION 2. The legislature finds and declares that the  
33 following claim for legislative relief recommended for approval  
34 as to the following named person for claims against the State or



the department of accounting and general services or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

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

**AMOUNT**

1. ALOHA STADIUM AUTHORITY:

Williams v. Aloha Stadium, et al.	\$ 75,000.00
Civil No. 19-1-0762-05, First Circuit	Settlement

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SUBTOTAL	\$ 75,000.00
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TOTAL (SECTION 2):	\$ 75,000.00
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Provided that of legislative appropriation item H-9 for the department of accounting and general services for fiscal year 2020-2021 in section 3 of Act 5, Session Laws of Hawaii 2019, as amended by section 3 of Act 7, Session Laws of Hawaii 2020, and section 1 of Act 9, Session Laws of Hawaii 2020, the special fund sum of \$75,000.00 shall be expended from the fiscal year 2020-2021 budget (AGS 889, special funds) by the department of accounting and general services for the purposes of this Act.



## PART III

SECTION 3. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of agriculture or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

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

**AMOUNT**

## 1. AGRIBUSINESS DEVELOPMENT CORPORATION:

Na Kia'i Kai v. Nakatani, et al.	\$ 131,849.15
Civil No. 18-00005, USDC	Settlement

SUBTOTAL	\$ 131,849.15
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TOTAL (SECTION 3):	\$ 131,849.15
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Provided that of legislative appropriation item A-14 for the department of agriculture for fiscal year 2020-2021 in section 3 of Act 5, Session Laws of Hawaii 2019, as amended by section 3 of Act 7, Session Laws of Hawaii 2020, and section 1 of Act 9, Session Laws of Hawaii 2020, the general fund sum of \$131,849.15 shall be expended from the fiscal year 2020-2021



1 budget (AGR 161, general funds) by the department of agriculture  
2 for the purposes of this Act.

3 PART IV

4 SECTION 4. The legislature finds and declares that the  
5 following claim for legislative relief recommended for approval  
6 as to the following named person for claims against the State or  
7 the department of the attorney general or its officers or  
8 employees for the payment of judgments or settlements, or other  
9 liabilities, in the amount set forth opposite their name, is  
10 approved for payment:

11 JUDGMENTS AGAINST THE STATE	AMOUNT
12 AND SETTLEMENTS OF CLAIMS:	
13	
14 1. DEPARTMENT OF THE ATTORNEY GENERAL:	
15	
16 Nickel v. Connors, et al.	\$ 5,000.00
17 Civil No. 20-00330, USDC	Settlement
18	
19	
20 SUBTOTAL	\$ 5,000.00
21	
22 TOTAL (SECTION 4):	\$ 5,000.00

23 Provided that of legislative appropriation item K-19 for  
24 the department of the attorney general for fiscal year 2020-2021  
25 in section 3 of Act 5, Session Laws of Hawaii 2019, as amended  
26 by section 3 of Act 7, Session Laws of Hawaii 2020, and



section 1 of Act 9, Session Laws of Hawaii 2020, the general fund sum of \$5,000.00 shall be expended from the fiscal year 2020-2021 budget (ATG 100, general funds) by the department of the attorney general for the purposes of this Act.

## PART V

SECTION 5. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of education or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:	AMOUNT
1. DEPARTMENT OF EDUCATION:	
Chavis v. State of Hawaii, et al. Civil No. 17-1-1455-09, First Circuit	\$ 77,000.00 Settlement
Kenigton v. State of Hawaii, et al. Civil No. 18-1-1443-09, First Circuit	\$ 80,000.00 Settlement
Yoon v. State of Hawaii, et al. Civil No. 15-1-1664-08, First Circuit	\$ 70,000.00 Settlement



1 SUBTOTAL \$ 227,000.00

2

3 TOTAL (SECTION 5): \$ 227,000.00

4 Provided that of legislative appropriation item G-1 for the

5 department of education for fiscal year 2020-2021 in section 3

6 of Act 5, Session Laws of Hawaii 2019, as amended by section 3

7 of Act 7, Session Laws of Hawaii 2020, and section 1 of Act 9,

8 Session Laws of Hawaii 2020, the general fund sum of \$227,000.00

9 shall be expended from the fiscal year 2020-2021 budget

10 (EDN 100, general funds) by the department of education for the

11 purposes of this Act.

12 PART VI

13 SECTION 6. The legislature finds and declares that the

14 following claim for legislative relief recommended for approval

15 as to the following named person for claims against the State or

16 the department of education or its officers or employees for the

17 payment of judgments or settlements, or other liabilities, in

18 the amount set forth opposite their name, is approved for

19 payment:



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

## 1. DEPARTMENT OF EDUCATION:

Unga v. Board of Education, et al.	\$ 8,250.00
Civil No. 20-0000576, First Circuit	Settlement

SUBTOTAL	\$ 8,250.00
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TOTAL (SECTION 6):	\$ 8,250.00
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Provided that of legislative appropriation item G-4 for the department of education for fiscal year 2020-2021 in section 3 of Act 5, Session Laws of Hawaii 2019, as amended by section 3 of Act 7, Session Laws of Hawaii 2020, and section 1 of Act 9, Session Laws of Hawaii 2020, the general fund sum of \$8,250.00 shall be expended from the fiscal year 2020-2021 budget (EDN 300, general funds) by the department of education for the purposes of this Act.

**PART VII**

SECTION 7. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of Hawaiian home lands or its officers or employees for the payment of judgments or settlements, or other





liabilities, in the amount set forth opposite their name, is  
approved for payment:

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

**AMOUNT**

1. DEPARTMENT OF HAWAIIAN HOME LANDS:

Kalima, et al. v. State of Hawaii, et al.	\$ 370,418.91
Case No. 18-0000068, Supreme Court of the	Judgement
State of Hawaii	

SUBTOTAL	\$ 370,418.91
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TOTAL (SECTION 7):	\$ 370,418.91
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Provided that of legislative appropriation item F-24 for  
the department of Hawaiian home lands for fiscal year 2020-2021  
in section 3 of Act 5, Session Laws of Hawaii 2019, as amended  
by section 3 of Act 7, Session Laws of Hawaii 2020, and  
section 1 of Act 9, Session Laws of Hawaii 2020, the general  
fund sum of \$370,418.91 shall be expended from the fiscal year  
2020-2021 budget (HHL 625, general funds) by the department of  
Hawaiian home lands for the purposes of this Act.

PART VIII

SECTION 8. The legislature finds and declares that the  
following claim for legislative relief recommended for approval  
as to the following named person for claims against the State or



1 the department of health or its officers or employees for the  
2 payment of judgments or settlements, or other liabilities, in  
3 the amount set forth opposite their name, is approved for  
4 payment:

5	JUDGMENTS AGAINST THE STATE	AMOUNT
6	AND SETTLEMENTS OF CLAIMS:	
7		
8	1. DEPARTMENT OF HEALTH:	
9		
10	Dasalia, et al. v. Onaka, et al.	\$ 44,903.62
11	Civil No. 13-1-0373-02, First Circuit	Judgment
12		
13		
14	SUBTOTAL	\$ 44,903.62
15		
16	TOTAL (SECTION 8):	\$ 44,903.62

17 Provided that of legislative appropriation item E-22 for  
18 the department of health for fiscal year 2020-2021 in section 3  
19 of Act 5, Session Laws of Hawaii 2019, as amended by section 3  
20 of Act 7, Session Laws of Hawaii 2020, and section 1 of Act 9,  
21 Session Laws of Hawaii 2020, the general fund sum of \$44,903.62  
22 shall be expended from the fiscal year 2020-2021 budget  
23 (HTH 760, general funds) by the department of health for the  
24 purposes of this Act.



## PART IX

SECTION 9. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of land and natural resources or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

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

## 1. DEPARTMENT OF LAND AND NATURAL RESOURCES:

Mahuka, et al. v. Mansker, et al.	\$ 115,000.00
Civil No. 17-1-0973-06, First Circuit	Settlement

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SUBTOTAL	\$ 115,000.00
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TOTAL (SECTION 9):	\$ 115,000.00
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Provided that of legislative appropriation item D-9 for the department of land and natural resources for fiscal year 2020-2021 in section 3 of Act 5, Session Laws of Hawaii 2019, as amended by section 3 of Act 7, Session Laws of Hawaii 2020, and section 1 of Act 9, Session Laws of Hawaii 2020, the general fund sum of \$115,000.00 shall be expended from the fiscal year



2020-2021 budget (LNR 906, general funds) by the department of land and natural resources for the purposes of this Act.

# PART X

SECTION 10. The legislature finds and declares that the following claim for legislative relief recommended for approval as to the following named person for claims against the State or the department of public safety or its officers or employees for the payment of judgments or settlements, or other liabilities, in the amount set forth opposite their name, is approved for payment:

JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:	AMOUNT
1. DEPARTMENT OF PUBLIC SAFETY:	
Iuli v. State of Hawaii, et al. Civil No. 19-1-0634-04, First Circuit	\$ 100,000.00 Settlement
SUBTOTAL	\$ 100,000.00
TOTAL (SECTION 10):	\$ 100,000.00

Provided that of legislative appropriation item I-8 for the department of public safety for fiscal year 2020-2021 in section 3 of Act 5, Session Laws of Hawaii 2019, as amended by section 3 of Act 7, Session Laws of Hawaii 2020, and section 1



of Act 9, Session Laws of Hawaii 2020, the general fund sum of \$100,000.00 shall be expended from the fiscal year 2020-2021 budget (PSD 409, general funds) by the department of public safety for the purposes of this Act.

## PART XI

SECTION 11. 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 state charter school commission 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. HAWAII STATE PUBLIC CHARTER SCHOOL COMMISSION:	
Miller-Potter v. State of Hawaii, et al. Civil No. 16-1-0385K, Third Circuit	\$ 75,000.00 Settlement
HGEA/AFSCME on Behalf of Ardith Renteria, and Charter Volcano School of Arts and Sciences	\$ 74,053.25 Judgment



1 SUBTOTAL \$ 149,053.25  
2  
3 TOTAL (SECTION 11): \$ 149,053.25

4  
5 The sums appropriated shall be expended by the state public  
6 charter school commission for the purposes of this Act.

7 PART XII

8 SECTION 12. The following sums or so much thereof as may  
9 be necessary for fiscal year 2020-2021 are appropriated out of  
10 the state highway fund for the purpose of satisfying claims for  
11 legislative relief as to the following named persons, for claims  
12 against the State or its officers or employees for payments of  
13 judgments or settlements, or other liabilities, in the amounts  
14 set forth opposite their names:

15	JUDGMENTS AGAINST THE STATE	AMOUNT
16	AND SETTLEMENTS OF CLAIMS:	
17		
18	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
19		
20	Link v. State of Hawaii	\$ 50,000.00
21	Civil No. 20-0000681, First Circuit	Settlement
22		
23	Siu, et al. v. State of Hawaii	\$ 995,000.00
24	Civil No. 16-1-1230-06, First Circuit	Settlement
25		
26		
27	SUBTOTAL	\$ 1,045,000.00
28		
29	TOTAL (SECTION 12):	\$ 1,045,000.00



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

4 PART XIII

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

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

18 SECTION 15. All unexpended and unencumbered balances of  
19 the appropriations made in this Act as of the close of business  
20 on June 30, 2022, shall lapse.



1       SECTION 16. If any provision of this Act, or the  
2 application thereof to any person or circumstance is held  
3 invalid, the invalidity does not affect other provisions or  
4 applications of the Act, which can be given effect without the  
5 invalid provision or application, and to this end the provisions  
6 of this Act are severable.

7       SECTION 17. This Act shall take effect on July 1, 3021.





**Report Title:**

Claims Against the State; Appropriations

**Description:**

Makes appropriations and approves payments for claims against the State, its officers, and its employees. Effective 7/1/3021.  
(HD2)

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

