



GOV. MSG. NO. 1383

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

7/11/2022

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 7/11/2022, the following bill was signed into law:

SB3041 SD2 HD1 CD1

MAKING APPROPRIATIONS FOR CLAIMS
AGAINST THE STATE, ITS OFFICERS, OR ITS
EMPLOYEES.
ACT 280

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

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 2021-2022 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 Sang Chol Bang	\$ 40.65
18	
19 Rodney Baculpo	\$ 1,283.01
20	
21 Darlene Vicente f/k/a Darlene Baculpo	\$ 1,283.00
22	
23 Princeville Hotel, LP	\$383,119.65

1	Chad Q. Iwamoto	\$ 33,003.00
2		
3	Robert Iwamoto QTIP Trust	\$ 4,605.24
4		
5	BG Kauai Holdings, LLC	\$ 1,397.86
6		
7	Foster Kern, LLC	\$ 8,500.00
8		
9	Roger R. Cawagas	\$ 126.96
10		
11	Michael S. Vincent	\$ 85.12
12		
13		
14	SUBTOTAL:	\$433,444.49
15		
16	2. AGRIBUSINESS DEVELOPMENT CORPORATION:	
17		
18	Nā Kia`i Kai v. Nakatani, et al.	\$132,611.78
19	Civil No. 18-00005, USDC	Settlement
20		
21		
22	SUBTOTAL:	\$132,611.78
23		
24	3. DEPARTMENT OF LAND AND NATURAL RESOURCES:	
25		
26	Kaupiko, et al. v. Dept. of Land	\$145,736.28
27	and Natural Resources, State of Hawaii	Settlement
28	Civil No. 20-0000125, First Circuit	
29	Civil No. CAAP-21-0000374,	
30	Intermediate Court of Appeals	
31		
32	Carol Gallagher, et al. v. Lanihuli	\$225,000.00
33	Community Development Corporation, et al.	Settlement
34	Civil No. 16-1-1767-09 JPC, First	
35	Circuit	
36		
37		
38	SUBTOTAL:	\$370,736.28



1	4. DEPARTMENT OF PUBLIC SAFETY:	
2		
3	Anthony Chatman, et al. v. Max N. Otani	\$ 250,540.00
4	Civil No. 21-00268 JAO KJM, USDC	Settlement
5		
6	Curt K.K. Tokunaga, et al. v. Dept.	\$ 150,000.00
7	of Public Safety, State of Hawaii	Settlement
8	Civil No. 18-1-0982-06, First Circuit	
9		
10	Faatalale Auelua v. State of Hawaii	\$ 40,000.00
11	Civil No. 17-1-0802-05 GWBC, First Circuit	Settlement
12		
13	HELG Administrative Services, LLC, as	\$ 550,000.00
14	Special Administrator of the Estate of	Settlement
15	Daisy L. Kasitati, deceased, et al. v.	
16	Dept. of Public Safety, State of Hawaii	
17	Civil No. 19-1-0348(2), Second Circuit	
18		
19	Elizabeth Mueller v. Department of Public	\$4,000,000.00
20	Safety, et al.	Settlement
21	Civil No. 17-00571 HG WRP, USDC	
22		
23	Michael J. O'Malley, et al. v. State of	\$1,375,000.00
24	Hawaii, et al.	Judgment
25	Civil No. 19-1-1021-06, First Circuit	
26		
27		
28	SUBTOTAL:	\$6,365,540.00
29		
30	5. STATE PUBLIC CHARTER SCHOOL COMMISSION:	
31		
32	UPW on behalf of James Ah Sing v.	\$125,275.38
33	Christina Kishimoto, et al.	Judgment
34	Case No. CE-01-539,	
35	Hawaii Labor Relations Board	
36		
37		
38	SUBTOTAL:	\$125,275.38



1	6.	DEPARTMENT OF EDUCATION:	
2			
3		Jane Roe Parent, et al. v. State of Hawaii,	\$150,000.00
4		et al.	Judgment
5		Civil No. 12-1-0474, Third Circuit	
6			<hr/>
7			
8		SUBTOTAL:	\$150,000.00
9			
10	7.	DEPARTMENT OF HAWAIIAN HOME LANDS	
11			
12		Kalima, et al. v. State of Hawaii, et al.	\$328,000,000.00
13		Civil No. 99-4771-12 LWC, First	Settlement
14		Circuit	
15			<hr/>
16			
17		SUBTOTAL:	\$328,000,000.00
18			
19		TOTAL (SECTION 1)	\$335,577,607.93
20			

PART II

22 SECTION 2. Provided that of the legislative appropriation
23 for the department of transportation for fiscal year 2021-2022
24 in section 3 of Act 88, Session Laws of Hawaii 2021, the
25 following sum shall be expended from the fiscal year 2021-2022
26 budget (TRN 595, state highway funds) by the department of
27 transportation for the purpose of satisfying claims for
28 legislative relief as to the following named entity, for claims
29 against the State or its officers or employees for payment of a
30 settlement in the amount set forth opposite its name:



1	JUDGMENTS AGAINST THE STATE	AMOUNT
2	AND SETTLEMENTS OF CLAIMS:	
3		
4	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
5		
6	Markel American Insurance Company (Maui	\$138,000.00
7	Oil Company)	Settlement
8		<hr/>
9		
10	SUBTOTAL:	\$138,000.00
11		
12	TOTAL (SECTION 2)	\$138,000.00
13		

14 PART III

15 SECTION 3. The sums hereinabove may be paid to the
16 respective persons, firms, corporations, or entities for the
17 satisfaction or settlement of the respectively identified cases,
18 and in several amounts hereinabove set forth or in lesser
19 amounts deemed appropriate, upon checks issued by the
20 comptroller; provided that departments shall obtain the approval
21 of the attorney general before payment of any claim may be made.

22 SECTION 4. Notwithstanding the sums hereinabove stated as
23 interest upon judgments against the State, payment of interest
24 shall be limited to the period from the date of judgment, if
25 applicable, to thirty days after the effective date of this Act,
26 as provided in section 662-8, Hawaii Revised Statutes, for those
27 cases to which the statute applies.



1 SECTION 5. All unexpended and unencumbered balances of the
2 appropriations made in this Act as of the close of business on
3 June 30, 2023, shall lapse.

4 SECTION 6. 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 7. This Act shall take effect upon its approval.



S.B. NO. 3041
S.D. 2
H.D. 1
C.D. 1

APPROVED this 11th day of July, 2022

A handwritten signature in black ink, appearing to read "David Ige". The signature is fluid and cursive, with a large, sweeping flourish at the end.

GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 3, 2022
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 2022.


President of the Senate


Clerk of the Senate

SB No. 3041, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
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 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives