

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 2021-2022 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. MISCELLANEOUS CLAIMS:	
Sang Chol Bang	\$ 40.65
Rodney Baculpo	\$ 1,283.01
Darlene Vicente f/k/a Darlene Baculpo	\$ 1,283.00
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



6. DEPARTMENT OF EDUCATION:

Jane Roe Parent, et al. v. State of Hawaii,	\$150,000.00
et al.	Judgment
Civil No. 12-1-0474, Third Circuit	

SUBTOTAL:	\$150,000.00
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7. DEPARTMENT OF HAWAIIAN HOME LANDS

Kalima, et al. v. State of Hawaii, et al.	\$328,000,000.00
Civil No. 99-4771-12 LWC, First	Settlement
Circuit	

SUBTOTAL:	\$328,000,000.00
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TOTAL (SECTION 1)	\$335,577,607.93
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PART II

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



JUDGMENTS AGAINST THE STATE
AND SETTLEMENTS OF CLAIMS:

AMOUNT

DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:

Markel American Insurance Company (Maui Oil Company)	\$138,000.00 Settlement
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SUBTOTAL:	\$138,000.00
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TOTAL (SECTION 2)	\$138,000.00
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PART III

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

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



Report Title:

Claims Against the State

Description:

Makes appropriations and approves payments for claims against the State, its officers, and its employees. (CD1)

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

