
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 2024-2025 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	Mark Lloyd	\$	111,733.08
18			
19	Maui Kupono Builders, LLC	\$	442,504.75
20	(Check No. S0057589)		
21			



1	Maui Kupon Builders, LLC	\$ 152,665.39
2	(Check No. S0001176)	
3		
4	Sarah Ann D. Pacheco	\$ 460.00
5	f/k/a Sarah Ann D. Taylor	
6		
7	Kiyoji Tanimura	\$ 5,371.00
8		
9	Neal M. Tamashiro	\$ 514.00
10		
11	SUBTOTAL:	\$ 713,248.22
12		
13	2. DEPARTMENT OF THE ATTORNEY GENERAL:	
14		
15	Billy Peter v. Anne E. Lopez	\$ 28,500.00
16	Civil No. 24-cv-00508 MWJS-RT, USDC	(Judgment)
17		
18	SUBTOTAL:	\$ 28,500.00
19		
20	3. DEPARTMENT OF DEFENSE:	
21		
22	James Sean Shields v. State of Hawaii	\$ 275,000.00
23	Civil No. 18-1-1897-11 VLC, First Circuit	(Settlement)
24		
25	Paul Aker v. Hawaii Emergency Management	\$ 5,000.00
26	Agency	(Settlement)
27	Civil No. 2CCV-23-0000378, Second Circuit	
28		
29	SUBTOTAL:	\$ 280,000.00
30		
31	4. DEPARTMENT OF EDUCATION:	
32		
33	B.R., M.A., and F.R. v. State of Hawaii	\$ 330,000.00
34	Civil No. 1CCV-20-0000549, First Circuit	(Settlement)
35		
36	Child Evangelism Fellowship of Hawaii,	\$ 100,000.00
37	Inc. v. Hawaii State Department of Education	(Judgment)
38	Civil No. 24-cv-00034 MWJS-WRP, USDC	
39		
40	Brenda Persinger, Individually and as a	\$ 1,750,000.00
41	Personal Representative of the Estate of	(Settlement)



1	Michael Ambrose, Deceased v. State of Hawaii,	
2	Department of Education	
3	Civil No. 3CCV-22-0000337, First Circuit	
4		
5	Jake Ferreira v. State of Hawaii,	\$ 75,000.00
6	Department of Education	(Settlement)
7	Civil No. 1CCV-23-0000874, First Circuit	
8		
9	Katherine Balatico v. State of Hawaii	\$ 150,000.00
10	Civil No. 22-cv-0415-LEK-KJM, USDC	(Settlement)
11		
12	SUBTOTAL:	<u>\$ 2,405,000.00</u>
13		
14	5. DEPARTMENT OF HAWAIIAN HOME LANDS:	
15		
16	Royal Contracting Company, Ltd. v.	\$ 400,000.00
17	Department of Hawaiian Home Lands	(Settlement)
18	Civil No. 1CCV-16-1760-09, First Circuit	
19		
20	SUBTOTAL:	<u>\$ 400,000.00</u>
21		
22	6. DEPARTMENT OF LAND AND NATURAL RESOURCES:	
23		
24	Jennifer Reber v. State of Hawaii	\$ 450,000.00
25	Civil No. 5CCV-23-0000053, Fifth Circuit	(Settlement)
26		
27	Brenda Osmer (Tort Claim)	\$ 100,000.00
28		(Settlement)
29		
30	SUBTOTAL:	<u>\$ 550,000.00</u>
31		
32	7. DEPARTMENT OF LAW ENFORCEMENT:	
33		
34	Cresencia Espejo v. State of Hawaii	\$ 750,000.00
35	Civil No. 1CCV-21-0000192, First Circuit	(Settlement)
36		
37	SUBTOTAL:	<u>\$ 750,000.00</u>
38		
39	8. DEPARTMENT OF TAXATION:	
40		
41	Deborah Kwan v. State of Hawaii	\$ 32,632.85



1	Civil No. 1CCV-21-0000424, First Circuit	(Settlement)
2		
3	SUBTOTAL:	\$ 32,632.85
4		
5	9. JUDICIARY:	
6		
7	Lisa Ann Daguro v. State of Hawaii	\$ 70,000.00
8	Civil No. 1CCV-20-0001475, First Circuit	(Settlement)
9		
10	SUBTOTAL:	\$ 70,000.00
11		
12	TOTAL (SECTION 1):	\$ 5,229,381.07

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

15 PART II

16 SECTION 2. The following sums or so much thereof as may be
17 necessary for fiscal year 2024-2025 are appropriated out of the
18 state highway fund for the purpose of satisfying claims for
19 legislative relief as to the following named persons, for claims
20 against the State or its officers or employees for payments of
21 judgments or settlements, or other liabilities, in the amount
22 set forth opposite their names:

23	JUDGMENTS AGAINST THE STATE	AMOUNT
24	AND SETTLEMENTS OF CLAIMS:	
25		
26	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
27		
28	Juan Jimmie Aldeguer v. State of Hawaii	\$ 1,075,000.00
29	Civil No. 1CCV-21-0000052, First Circuit	(Settlement)
30		
31	Estate of Bruce Perdue v. State of Hawaii	\$ 175,000.00



1	Civil No. 5CC131000351, Fifth Circuit	(Settlement)
2		
3	SUBTOTAL:	<u>\$ 1,250,000.00</u>
4		
5	TOTAL (SECTION 2):	\$ 1,250,000.00

6 The sums appropriated shall be expended by the department
7 of transportation, highways division, for the purposes of this
8 Act.

9 PART III

10 SECTION 3. The following sums or so much thereof as may be
11 necessary for fiscal year 2024-2025 are appropriated out of the
12 judiciary funds for the purpose of satisfying claims for
13 legislative relief as to the following named persons, for claims
14 against the State or its officers or employees for payments of
15 judgments or settlements, or other liabilities, in the amount
16 set forth opposite their names:

17	JUDGMENTS AGAINST THE STATE	AMOUNT
18	AND SETTLEMENTS OF CLAIMS:	
19		
20	JUDICIARY:	
21		
22	Leanne Rosa v. Randal G.B. Valenciano	\$ 90,000.00
23	Civil No. 23-CV-00315-JAO-WRP, USDC	(Settlement)
24		
25	SUBTOTAL:	<u>\$ 90,000.00</u>
26		
27	TOTAL (SECTION 3):	\$ 90,000.00



1 The sum appropriated shall be expended by the judiciary for
2 the purposes of this Act.

3 PART IV

4 SECTION 4. In accordance with section 9 of article VII of
5 the Constitution of the State of Hawaii and sections 37-91 and
6 37-93, Hawaii Revised Statutes, the legislature has determined
7 that the state general fund expenditure ceiling for fiscal year
8 2024-2025 has already been exceeded by \$8,551,795, or one per
9 cent. In addition, the appropriations contained in this Act
10 will cause the state general fund expenditure ceiling for fiscal
11 year 2024-2025 to be further exceeded by \$,
12 or per cent. The reasons for exceeding the general fund
13 expenditure ceiling are that the appropriations made in this Act
14 are necessary to serve the public interest and to meet the needs
15 addressed by this Act.

16 PART V

17 SECTION 5. The sums hereinabove may be paid to the
18 respective persons, firms, corporations, or entities for the
19 satisfaction or settlement of the respectively identified cases,
20 and in several amounts hereinabove set forth or in lesser
21 amounts deemed appropriate, upon checks issued by the



1 comptroller; provided that departments shall obtain the approval
2 of the attorney general before payment of any claim may be made.

3 SECTION 6. Notwithstanding the sums hereinabove stated as
4 interest upon judgments against the State, payment of interest
5 shall be limited to the period from the date of the judgment, if
6 applicable, to thirty days after the effective date of this Act,
7 as provided in section 662-8, Hawaii Revised Statutes, for those
8 cases to which the statute applies.

9 SECTION 7. All unexpended and unencumbered balances of the
10 appropriations made in this Act as of the close of business on
11 June 30, 2026, shall lapse.

12 SECTION 8. If any provision of this Act, or the
13 application thereof to any person or circumstance, is held
14 invalid, the invalidity does not affect other provisions or
15 applications of the Act that can be given effect without the
16 invalid provision or application, and to this end the provisions
17 of this Act are severable.

18 SECTION 9. This Act shall take effect on April 23, 2057.



Report Title:

Claims Against the State; Expenditure Ceiling; Appropriations

Description:

Makes appropriations and approves payments for claims against the State, its officers, and its employees. Effective 4/23/2057. (SD1)

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

