

ACT 15

S.B. NO. 1039

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.	\$ 131,849.15
Civil No. 18-00005, USDC	Settlement
SUBTOTAL	\$ 131,849.15
2. ALOHA STADIUM AUTHORITY:	
Williams v. Aloha Stadium, et al.	\$ 75,000.00
Civil No. 19-1-0762-05, First Circuit	Settlement
SUBTOTAL	\$ 75,000.00
3. DEPARTMENT OF THE ATTORNEY GENERAL:	
Nickel v. Connors, et al.	\$ 5,000.00
Civil No. 20-00330, USDC	Settlement
SUBTOTAL	\$ 5,000.00
4. DEPARTMENT OF EDUCATION:	
Chavis v. State of Hawaii, et al.	\$ 77,000.00
Civil No. 17-1-1455-09, First Circuit	Settlement
Kenigton v. State of Hawaii, et al.	\$ 80,000.00
Civil No. 18-1-1443-09, First Circuit	Settlement
Unga v. Board of Education, et al.	\$ 8,250.00
Civil No. 20-0000576, First Circuit	Settlement
Yoon v. State of Hawaii, et al.	\$ 70,000.00
Civil No. 15-1-1664-08, First Circuit	Settlement
SUBTOTAL	\$ 235,250.00
5. 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 State of Hawaii	Judgement
SUBTOTAL	\$ 370,418.91
6. DEPARTMENT OF HEALTH:	
Dasalia, et al. v. Onaka, et al.	\$ 44,903.62
Civil No. 13-1-0373-02, First Circuit	Judgment
SUBTOTAL	\$ 44,903.62
7. 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
SUBTOTAL	\$ 115,000.00

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8. DEPARTMENT OF PUBLIC SAFETY:

Iuli v. State of Hawaii, et al.	\$ 100,000.00
Civil No. 19-1-0634-04, First Circuit	Settlement
SUBTOTAL	\$ 100,000.00

9. HAWAII STATE PUBLIC CHARTER SCHOOL COMMISSION:

Miller-Potter v. State of Hawaii, et al.	\$ 75,000.00
Civil No. 16-1-0385K, Third Circuit	Settlement
HGEA/AFSCME on Behalf of Ardith Renteria, and Charter Volcano School of Arts and Sciences	\$ 74,053.25
	Judgment
SUBTOTAL	\$ 149,053.25

10. MISCELLANEOUS CLAIMS:

Gregory Au	\$ 240.00
Caitlyn LD Cagaoan	\$ 50.00
Christopher Carreon	\$ 815.40
Holiday Jewelers of Hawaii, Inc.	\$ 1,080.21
Melvin Ishizu	\$ 6,041.40
Robert D. Linn	\$ 728.00
Matthew Lutey	\$ 94.00
Mercede Nacion	\$ 150.00
Barbara J. Nakagawa	\$ 75.00
Donna Noguchi	\$ 503.00
Leon Richards	\$ 2,297.45
Gregory and Sarah Rocheleau	\$ 1,367.00
Jerome and Anne Ryan	\$ 5,536.61
Waste Management of Hawaii, Inc.	\$ 15,654.47
Lana Wold	\$ 2,105.55
Cycle City, Ltd.	\$ 27,757.15
John A. Ferreiro Irrevocable Residuary Trust B	\$ 29,161.47
Mid-Pacific Country Club	\$ 10,032.14
SUBTOTAL:	\$ 103,688.85
TOTAL (SECTION 1):	\$ 1,330,163.78

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

PART II

SECTION 2. The following sums or so much thereof as may be necessary for fiscal year 2020-2021 are appropriated out of the state highway fund for the purpose of satisfying claims for legislative relief as to the following named persons, for claims against the State or its officers or employees for 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

DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:

Link v. State of Hawaii Civil No. 20-0000681, First Circuit	\$ 50,000.00 Settlement
Siu, et al. v. State of Hawaii Civil No. 16-1-1230-06, First Circuit	\$ 995,000.00 Settlement
SUBTOTAL	\$ 1,045,000.00
TOTAL (SECTION 2):	\$ 1,045,000.00

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

PART III

SECTION 3. The sums hereinabove may be paid to the respective persons, or 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.

SECTION 5. All unexpended and unencumbered balances of the appropriations made in this Act as of the close of business on June 30, 2022, shall lapse.

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

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

(Approved May 19, 2021.)