

ACT 80

H.B. NO. 990

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 2024-2025 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:	
Gilbert Collins	\$ 69,113.33
Mark Lloyd	\$ 111,733.08
Maui Kupono Builders, LLC (Check No. S0057589)	\$ 442,504.75
Maui Kupono Builders, LLC (Check No. S0001176)	\$ 152,665.39
National Commerce Bank Service	\$ 166,492.00
Olinda Country Estates, Inc.	\$ 50,210.67
Sarah Ann D. Pacheco f/k/a Sarah Ann D. Taylor	\$ 460.00
Sofia Lerman Estate	\$ 22,674.17
Neal M. Tamashiro	\$ 514.00
Kiyoji Tanimura	\$ 5,371.00
SUBTOTAL:	\$ 1,021,738.39

ACT 80

2. DEPARTMENT OF THE ATTORNEY GENERAL:

Billy Peter v. Anne E. Lopez	\$ 28,500.00
Civil No. 24-cv-00508 MWJS-RT, USDC	(Judgment)
SUBTOTAL:	\$ 28,500.00

3. DEPARTMENT OF CORRECTIONS AND REHABILITATION:

Donna Opulento v. State of Hawaii	\$ 100,000.00
Department of Public Safety	(Settlement)
Civil No. 19-cv-00315-RT, USDC	
SUBTOTAL:	\$ 100,000.00

4. DEPARTMENT OF DEFENSE:

Paul Aker v. Hawaii Emergency Management Agency	\$ 5,000.00
Civil No. 2CCV-23-0000378, Second Circuit	(Settlement)
James Sean Shields v. State of Hawaii	\$ 275,000.00
Civil No. 1CC181001897, First Circuit	(Settlement)
SUBTOTAL:	\$ 280,000.00

5. DEPARTMENT OF EDUCATION:

B.R., M.A., and F.R. v. State of Hawaii	\$ 330,000.00
Civil No. 1CCV-20-0000549, First Circuit	(Settlement)
Katherine Balatico v. State of Hawaii	\$ 150,000.00
Civil No. 22-cv-00415-LEK-KJM, USDC	(Settlement)
Child Evangelism Fellowship of Hawaii, Inc. v. Hawaii State Department of Education	\$ 100,000.00
Civil No. 24-cv-00034 MWJS-WRP, USDC	(Judgment)
D.O. v. State of Hawaii,	\$ 100,000.00
Department of Education	(Settlement)
Civil No. 1CCV-20-0000583, First Circuit	
Jake Ferreira v. State of Hawaii,	\$ 75,000.00
Department of Education	(Settlement)
Civil No. 1CCV-23-0000874, First Circuit	
Brenda Persinger, Individually and as a Personal Representative of the Estate of Michael Ambrose, Deceased v. State of Hawaii,	\$ 1,750,000.00
Department of Education	(Settlement)
Civil No. 3CCV-22-0000337, Third Circuit	
Leonard Ramboyon v. Esther Kanehailua	\$ 140,000.00
Civil No. 3CCV-20-0000407, Third Circuit	(Settlement)
SUBTOTAL:	\$ 2,645,000.00

6. DEPARTMENT OF HAWAIIAN HOME LANDS:

Royal Contracting Co. v.	\$ 400,000.00
Department of Hawaiian Home Lands	(Settlement)
Civil No. 1CC161001760, First Circuit	
SUBTOTAL:	\$ 400,000.00

7. DEPARTMENT OF HEALTH:

Jon R. Chung v. State of Hawaii	\$ 50,000.00
Civil No. 2CCV-22-0000006, Second Circuit	(Settlement)
Kamaka Air, LLC	\$ 298,000.00
Tort Claim	(Settlement)
SUBTOTAL:	\$ 348,000.00

8. DEPARTMENT OF HUMAN SERVICES:

John Roe No. 121 v. State of Hawaii	\$ 512,700.83
Civil No. 1CC191001419, First Circuit	(Judgment)
SUBTOTAL:	\$ 512,700.83

9. DEPARTMENT OF LAND AND NATURAL RESOURCES:

Anela Aplaca v. State of Hawaii	\$ 115,000.00
Civil No. 1CCV-23-0000193, First Circuit	(Settlement)
Stacy J. Bruhn v. State of Hawaii	\$ 125,000.00
Civil No. 1CCV-24-0001600, First Circuit	(Settlement)
Healoha Carmichael v. Board of Land and Natural Resources	\$ 26,771.00 (Judgment)
Civil No. 1CC-15-1000650, First Circuit	
Kona Mike's Surf Adventures, LLC v. Dawn N.S. Chang	\$ 18,000.00 (Settlement)
Civil No. CAAP-24-0000645, Intermediate Court of Appeals	
Jennifer L. Reber v. State of Hawaii	\$ 450,000.00
Civil No. 5CCV-23-0000053, Fifth Circuit	(Settlement)
Brenda Osmer Tort Claim	\$ 100,000.00 (Settlement)
SUBTOTAL:	\$ 834,771.00

10. DEPARTMENT OF LAW ENFORCEMENT:

Cresencia Espejo v. State of Hawaii	\$ 750,000.00
Civil No. 1CCV-21-0000192, First Circuit	(Settlement)
SUBTOTAL:	\$ 750,000.00

11. DEPARTMENT OF TAXATION:

Deborah Kwan v. State of Hawaii	\$ 32,632.85
Civil No. 1CCV-21-0000424, First Circuit	(Settlement)
SUBTOTAL:	\$ 32,632.85

12. JUDICIARY:

Lisa Ann Daguro v. State of Hawaii	\$ 70,000.00
Civil No. 1CCV-20-0001475, First Circuit	(Settlement)
SUBTOTAL:	\$ 70,000.00
TOTAL (SECTION 1):	\$ 7,023,343.07

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 2024-2025 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 amount set forth opposite their names:

JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:		AMOUNT
DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:		
Juan Jimmie Aldeguer v. State of Hawaii	\$	1,075,000.00
Civil No. 1CCV-21-0000052, First Circuit		(Settlement)
Estate of Bruce S. Perdue v. State of Hawaii	\$	175,000.00
Civil No. 5CC131000351, Fifth Circuit		(Settlement)
Susanna Sigal v. State of Hawaii	\$	70,000.00
Civil No. 1CCV-20-0001486, First Circuit		(Settlement)
SUBTOTAL:	\$	1,320,000.00
TOTAL (SECTION 2):	\$	1,320,000.00

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

PART III

SECTION 3. The following sums or so much thereof as may be necessary for fiscal year 2024-2025 are appropriated out of the judiciary funds 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 amount set forth opposite their names:

JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:		AMOUNT
JUDICIARY:		
Leanne Rosa v. Randal G.B. Valenciano	\$	90,000.00
Civil No. 23-CV-00315-JAO-WRP, USDC		(Settlement)
SUBTOTAL:	\$	90,000.00
TOTAL (SECTION 3):	\$	90,000.00

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

PART IV

SECTION 4. In accordance with section 9 of article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that at the beginning of the regular session of 2025, the general fund expenditure ceiling for fiscal year 2024-2025 was exceeded by \$8,551,795, or one per cent. The appropriations contained in Act 1, Session Laws of Hawaii 2025, caused the general fund expenditure ceiling for fiscal year 2024-2025 to be further exceeded by an additional \$30,334,159. Therefore, the general fund expenditure ceiling for fiscal year 2024-2025 has already been exceeded by \$38,885,954, or one per cent.

The appropriations contained in this Act will cause the general fund expenditure ceiling for fiscal year 2024-2025 to be further exceeded by \$7,023,343.07, or one per cent. This declaration takes into account the additional general fund appropriations authorized for fiscal year 2024-2025 in this Act only. The reasons for exceeding the general fund expenditure ceiling are that the appropriations made in this Act are necessary to serve the public interest and to meet the needs addressed by this Act.

PART V

SECTION 5. 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 6. 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 the 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 7. All unexpended and unencumbered balances of the appropriations made in this Act as of the close of business on June 30, 2026, shall lapse.

SECTION 8. 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 that can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 9. This Act shall take effect upon its approval.

(Approved May 19, 2025.)