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# 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 2017-2018 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. DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES:	
16	
17 Carrancho, et al. v. City and County of	\$ 52,500.00
18 Honolulu, et al., Civil No. 16-1-0246-02,	Settlement
19 First Circuit	



- 1 2. DEPARTMENT OF EDUCATION:
- 2
- 3 Clark, et al. v. Department of Education, \$ 35,000.00
- 4 et al., Civil No. 15-1-2486-12, Settlement
- 5 First Circuit
- 6
- 7 3. DEPARTMENT OF HAWAIIAN HOME LANDS:
- 8
- 9 Arthur, et al. v. State of Hawaii, et al. \$ 200,000.00
- 10 Civil No. 05-1-1981-11, First Circuit Settlement
- 11
- 12 4. DEPARTMENT OF HEALTH:
- 13
- 14 Johnson v. Rainbow Rehabilitation Services, \$ 1,601,536.97
- 15 Inc., et al., Civil No. 07-1-1855-10, Judgment
- 16 First Circuit
- 17
- 18 5. DEPARTMENT OF HUMAN SERVICES:
- 19
- 20 Ah Chong, et al. v. McManaman \$ 850,000.00
- 21 Civil No. 13-00663 LEK-KSC, USDC Settlement
- 22
- 23 Kalili v. Department of Human Services, \$ 115,000.00
- 24 et al., Civil No. 13-1-0171, Third Circuit Settlement
- 25
- 26 Lahti, et al. v. State of Hawaii, et al. \$ 500,000.00
- 27 Civil No. 08-1-0132(3), Second Circuit Settlement
- 28
- 29 Sheehey, et al. v. State of Hawaii \$ 2,341,103.10
- 30 Civil No. 14-1-1709-08 VLC, First Circuit Settlement
- 31
- 32 6. DEPARTMENT OF LAND AND NATURAL RESOURCES:
- 33
- 34 Claim of Sandra Lee Atkinson \$ 20,212.30
- 35 Civil No. 13-00663 LEK-KSC, USDC Settlement
- 36
- 37 7. DEPARTMENT OF PUBLIC SAFETY:
- 38
- 39 Hopfe v. State of Hawaii, et al. \$ 20,000.00
- 40 Civil No. 16-1-0645-04, First Circuit Settlement



1	Smith v. State of Hawaii, et al.	\$	50,000.00
2	Civil No. 14-00432 LEK-KSC, USDC		Settlement
3			
4	8. HAWAII STATE PUBLIC LIBRARY SYSTEM:		
5			
6	Woolpert v. State of Hawaii, et al.	\$	155,000.00
7	Civil No. 15-1-0923-05, First Circuit		Settlement
8			
9			
10	SUBTOTAL:	\$	5,940,352.37
11			
12	TOTAL (Section 1):	\$	5,940,352.37
13			

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

16 **PART II**

17 SECTION 2. The following sums or so much thereof as may be  
18 necessary for fiscal year 2017-2018 are appropriated out of the  
19 state highway fund for the purpose of satisfying claims for  
20 legislative relief as to the following named persons, for claims  
21 against the State or its officers or employees for payments of  
22 judgments or settlements, or other liabilities, in the amount  
23 set forth opposite their names:

24	JUDGMENTS AGAINST THE STATE		AMOUNT
25	AND SETTLEMENTS OF CLAIMS:		
26			
27	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:		
28			
29	Van Vleet v. Costales, et al.	\$	70,000.00
30	Civil No. 17-1-0951-06, First Circuit		Settlement



1	Claim of Garrison Property and Casualty	\$ 19,312.84
2	Insurance Company USAA	Settlement
3		
4	Imada v. State of Hawaii, et al.	
5	Civil No. 14-1-0401K, Third Circuit	
6	and	
7	Ocampo v. State of Hawaii, et al.	\$ 1,300,000.00
8	Civil No. 16-1-234K, Third Circuit	Settlement
9		
10	Amina v. State of Hawaii, et. al.	\$ 45,000.00
11	Civil No. 16-1-1080-06, First Circuit	Settlement
12		
13		<hr/>
14	SUBTOTAL:	\$ 1,434,312.84
15		
16	TOTAL (Section 2):	\$ 1,434,312.84
17		

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

21 **PART III**

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



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

7 SECTION 5. All unexpended and unencumbered balances of the  
8 appropriations made in this Act as of the close of business on  
9 June 30, 2019, shall lapse.

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

16 SECTION 7. This Act shall take effect on July 1, 2030.



**Report Title:**

Claims Against the State; Appropriation

**Description:**

Appropriates funds to satisfy several claims against the State, its officers, or its employees. (SB2740 HD2)

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

