
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 EDUCATION:	
16		
17	Clark, et al. v. Department of Education,	\$ 35,000.00
18	et al., Civil No. 15-1-2486-12,	Settlement
19	First Circuit	
20		
21	2. DEPARTMENT OF HAWAIIAN HOME LANDS:	



1			
2	Arthur, et al. v. State of Hawaii, et al.	\$	200,000.00
3	Civil No. 05-1-1981-11, First Circuit		Settlement
4			
5	3. DEPARTMENT OF HUMAN SERVICES:		
6			
7	Kalili v. Department of Human Services,	\$	115,000.00
8	et al., Civil No. 13-1-0171, Third Circuit		Settlement
9			
10	Lahti, et al. v. State of Hawaii, et al.	\$	450,000.00
11	Civil No. 08-1-0132(3), Second Circuit		Settlement
12			
13	4. DEPARTMENT OF PUBLIC SAFETY:		
14			
15	Hopfe v. State of Hawaii, et al.	\$	20,000.00
16	Civil No. 16-1-0646-04, First Circuit		Settlement
17			
18	Smith v. State of Hawaii, et al.	\$	50,000.00
19	Civil No. 14-00432 LEK-KSC, USDC		Settlement
20			
21			
22	SUBTOTAL:	\$	870,000.00
23			
24	TOTAL (Section 1):	\$	870,000.00
25			

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

28 PART II

29 SECTION 2. The following sums or so much thereof as may be
 30 necessary for fiscal year 2017-2018 are appropriated out of the
 31 state highway fund for the purpose of satisfying claims for
 32 legislative relief as to the following named persons, for claims
 33 against the State or its officers or employees for payments of



1 judgments or settlements, or other liabilities, in the amount
2 set forth opposite their names:

3	JUDGMENTS AGAINST THE STATE	AMOUNT
4	AND SETTLEMENTS OF CLAIMS:	
5		
6	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
7		
8	Van Vleet v. Costales, et al.	\$ 70,000.00
9	Civil No. 17-1-0951-06, First Circuit	Settlement
10		
11	Claim of Garrison Property and Casualty	\$ 19,312.84
12	Insurance Company USAA	Settlement
13		
14	Imada v. State of Hawaii, et al.	
15	Civil No. 14-1-0401K, Third Circuit	
16	and	
17	Ocampo v. State of Hawaii, et al.	\$ 1,300,000.00
18	Civil No. 16-1-234K, Third Circuit	Settlement
19		
20		
21	SUBTOTAL:	\$ 1,389,312.84
22		
23	TOTAL (Section 2):	\$ 1,389,312.84
24		

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

28 PART III

29 SECTION 3. The sums hereinabove may be paid to the
30 respective persons, or for the satisfaction or settlement of the
31 respectively identified cases, and in several amounts



1 hereinabove set forth or in lesser amounts deemed appropriate,
2 upon checks issued by the comptroller; provided that departments
3 shall obtain the approval of the attorney general before payment
4 of any claim can be made.

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

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

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

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



Report Title:

Claims Against the State; Appropriation

Description:

Makes appropriations for claims against the State, its officers, and its employees. (SD1)

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

