
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 legislature finds and declares that the
3 following claim for legislative relief recommended for approval
4 as to the following named person for claims against the State or
5 the department of accounting and general services or its
6 officers or employees for the payment of judgments or
7 settlements, or other liabilities, in the amount set forth
8 opposite their name, is approved for payment:

9	JUDGMENTS AGAINST THE STATE	AMOUNT
10	AND SETTLEMENTS OF CLAIMS:	
11		
12	1. DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES:	
13		
14	Carrancho, et al. v. City and County of	\$ 52,500.00
15	Honolulu, et al., Civil No. 16-1-0246-02,	Settlement
16	First Circuit	
17		<hr/>
18		
19	SUBTOTAL:	\$ 52,500.00
20		
21	TOTAL (SECTION 1):	\$ 52,500.00
22		

23 Provided that of legislative appropriation item K-37 for
24 the department of accounting and general services for fiscal



1 year 2017-2018 in section 3 of Act 49, Session Laws of Hawaii
2 2017, the general fund sum of \$52,500 shall be expended from the
3 2017-2018 budget (AGS 232, general funds) by the department of
4 accounting and general services for the purposes of this Act.

5 PART II

6 SECTION 2. The legislature finds and declares that the
7 following claim for legislative relief recommended for approval
8 as to the following named person for claims against the State or
9 the department of education or its officers or employees for the
10 payment of judgments or settlements, or other liabilities, in
11 the amount set forth opposite their name, is approved for
12 payment:

13 JUDGMENTS AGAINST THE STATE 14 AND SETTLEMENTS OF CLAIMS:	AMOUNT
16 2. DEPARTMENT OF EDUCATION:	
18 Clark, et al. v. Department of Education, 19 et al., Civil No. 15-1-2486-12, First Circuit	\$ 35,000.00 Settlement
22 SUBTOTAL:	<hr/> \$ 35,000.00
24 TOTAL (SECTION 2):	\$ 35,000.00

25 Provided that of legislative appropriation item G-6 for the
26 department of education for fiscal year 2017-2018 in section 3
27



1 of Act 49, Session Laws of Hawaii 2017, the general fund sum of
2 \$35,000 shall be expended from the 2017-2018 budget (EDN 500,
3 general funds) by the department of education for the purposes
4 of this Act.

5 PART III

6 SECTION 3. The legislature finds and declares that the
7 following claim for legislative relief recommended for approval
8 as to the following named person for claims against the State or
9 the department of Hawaiian home lands or its officers or
10 employees for the payment of judgments or settlements, or other
11 liabilities, in the amount set forth opposite their name, is
12 approved for payment:

13 JUDGMENTS AGAINST THE STATE 14 AND SETTLEMENTS OF CLAIMS:	AMOUNT
16 3. DEPARTMENT OF HAWAIIAN HOME LANDS:	
18 Arthur, et al. v. State of Hawaii, et al. 19 Civil No. 05-1-1981-11, First Circuit	\$ 200,000.00 Settlement
22 SUBTOTAL:	\$ 200,000.00
24 TOTAL (SECTION 3):	\$ 200,000.00

25
26 Provided that of legislative appropriation item F-24 for
27 the department of Hawaiian home lands for fiscal year 2017-2018



1 in section 3 of Act 49, Session Laws of Hawaii 2017, the general
2 fund sum of \$200,000 shall be expended from the 2017-2018 budget
3 (HHL 625, general funds) by the department of Hawaiian home
4 lands for the purposes of this Act.

5 PART IV

6 SECTION 4. The legislature finds and declares that the
7 following claim for legislative relief recommended for approval
8 as to the following named person for claims against the State or
9 the department of health or its officers or employees for the
10 payment of judgments or settlements, or other liabilities, in
11 the amount set forth opposite their name, is approved for
12 payment:

13 JUDGMENTS AGAINST THE STATE 14 AND SETTLEMENTS OF CLAIMS:	AMOUNT
15 16 4. DEPARTMENT OF HEALTH:	
17 18 Johnson v. Rainbow Rehabilitation Services, 19 Inc., et al., Civil No. 07-1-1855-10, 20 First Circuit	\$ 1,601,536.97 Judgment
21 22 SUBTOTAL:	_____
23 24 TOTAL (SECTION 4):	\$ 1,601,536.97 \$ 1,601,536.97



1		
2	Sheehey, et al. v. State of Hawaii	\$ 2,341,103.10
3	Civil No. 14-1-1709-08 VLC, First Circuit	Settlement
4		<hr/>
5		
6	SUBTOTAL:	\$ 3,806,103.10
7		
8	TOTAL (SECTION 5):	\$ 3,806,103.10
9		

10 Provided that of legislative appropriation item F-1 for the
11 department of human services for fiscal year 2017-2018 in
12 section 3 of Act 49, Session Laws of Hawaii 2017, the general
13 fund sum of \$3,806,103.10 shall be expended from the 2017-2018
14 budget (HMS 301, general funds) by the department of human
15 services for the purposes of this Act.

16 PART VI

17 SECTION 6. The legislature finds and declares that the
18 following claims for legislative relief recommended for approval
19 as to the following named persons for claims against the State
20 or the department of land and natural resources or its officers
21 or employees for the payment of judgments or settlements, or
22 other liabilities, in the amounts set forth opposite their
23 names, are approved for payment:



1 JUDGMENTS AGAINST THE STATE	AMOUNT
2 AND SETTLEMENTS OF CLAIMS:	
3	
4 6. DEPARTMENT OF LAND AND NATURAL RESOURCES:	
5	
6 Claim of Sandra Lee Atkinson	\$ 20,212.30
7 Civil No. 13-00663 LEK-KSC, USDC	Settlement
8	
9 Umberger, et al. v. Department of Land	\$ 74,491.81
10 and Natural Resources,	Judgment
11 Civil No. 12-1-2626-10, Third Circuit	
12	
13 Corbett v. Kyo-Ya Hotels & Resorts, LP,	\$ 75,000.00
14 et al.	Settlement
15 Civil No. 17-1-0371-03, First Circuit	
16	
17	_____
18	
19 SUBTOTAL:	\$ 169,704.11
20	
21 TOTAL (SECTION 6):	\$ 169,704.11
22	

23 Provided that of legislative appropriation item A-23 for
24 the department of land and natural resources for fiscal year
25 2017-2018 in section 3 of Act 49, Session Laws of Hawaii 2017,
26 the general fund sum of \$169,704.11 shall be expended from the
27 2017-2018 budget (LNR 141, general funds) by the department of
28 land and natural resources for the purposes of this Act.

29 PART VII

30 SECTION 7. The legislature finds and declares that the
31 following claims for legislative relief recommended for approval
32 as to the following named persons for claims against the State



1 or the department of public safety or its officers or employees
2 for the payment of judgments or settlements, or other
3 liabilities, in the amounts set forth opposite their names, are
4 approved for payment:

5 JUDGMENTS AGAINST THE STATE	AMOUNT
6 AND SETTLEMENTS OF CLAIMS:	
7	
8 7. DEPARTMENT OF PUBLIC SAFETY:	
9	
10 Hopfe v. State of Hawaii, et al.	\$ 20,000.00
11 Civil No. 16-1-0645-04, First Circuit	Settlement
12	
13 Smith v. State of Hawaii, et al.	\$ 50,000.00
14 Civil No. 14-00432 LEK-KSC, USDC	Settlement
15	
16 Castro v. Melchor, et al.	\$ 634,465.45
17 Civil No. 08-1-0901-05, First Circuit	Judgment
18 SCWC No. 12-0000753	
19	_____
20	
21 SUBTOTAL:	\$ 704,465.45
22	
23 TOTAL (SECTION 7):	\$ 704,465.45
24	

25 Provided that of legislative appropriation item I-11 for
26 the department of public safety for fiscal year 2017-2018 in
27 section 3 of Act 49, Session Laws of Hawaii 2017, the general
28 fund sum of \$704,465.45 shall be expended from the 2017-2018
29 budget (PSD 421, general funds) by the department of public
30 safety for the purposes of this Act.



1 PART VIII

2 SECTION 8. The legislature finds and declares that the
3 following claim for legislative relief recommended for approval
4 as to the following named person for claims against the State or
5 the Hawaii state public library system or its officers or
6 employees for the payment of judgments or settlements, or other
7 liabilities, in the amount set forth opposite their name, is
8 approved for payment:

9 JUDGMENTS AGAINST THE STATE 10 AND SETTLEMENTS OF CLAIMS:	AMOUNT
11 8. HAWAII STATE PUBLIC LIBRARY SYSTEM:	
12 Woolpert v. State of Hawaii, et al. 13 Civil No. 15-1-0923-05, First Circuit	\$ 155,000.00 Settlement
14 SUBTOTAL:	<hr/> \$ 155,000.00
15 TOTAL (SECTION 8):	\$ 155,000.00

16
17
18 Provided that of legislative appropriation item G-14 for
19 the Hawaii state public library system for fiscal year 2017-2018
20 in section 3 of Act 49, Session Laws of Hawaii 2017, the general
21 fund sum of \$155,000 shall be expended from the 2017-2018 budget
22 (EDN 407, general funds) by the Hawaii state public library
23 system for the purposes of this Act.
24
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26
27



1 PART IX

2 SECTION 9. The following sums or so much thereof as may be
3 necessary for fiscal year 2017-2018 are appropriated out of the
4 state highway fund for the purpose of satisfying claims for
5 legislative relief as to the following named persons, for claims
6 against the State or its officers or employees for payments of
7 judgments or settlements, or other liabilities, in the amount
8 set forth opposite their names:

9 JUDGMENTS AGAINST THE STATE	AMOUNT
10 AND SETTLEMENTS OF CLAIMS:	
11 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
12	
13	
14 Van Vleet v. Costales, et al.	\$ 70,000.00
15 Civil No. 17-1-0951-06, First Circuit	Settlement
16	
17 Claim of Garrison Property and Casualty	\$ 19,312.84
18 Insurance Company USAA	Settlement
19	
20 Imada v. State of Hawaii, et al.	
21 Civil No. 14-1-0401K, Third Circuit	
22 and	
23 Ocampo v. State of Hawaii, et al.	\$ 1,300,000.00
24 Civil No. 16-1-234K, Third Circuit	Settlement
25	
26 Amina v. State of Hawaii, et. al.	\$ 45,000.00
27 Civil No. 16-1-1080-06, First Circuit	Settlement
28	
29	
30 SUBTOTAL:	\$ 1,434,312.84
31	
32 TOTAL (SECTION 9):	\$ 1,434,312.84
33	



1 SECTION 13. If any provision of this Act, or the
2 application thereof to any person or circumstance, is held
3 invalid, the invalidity does not affect other provisions or
4 applications of the Act that can be given effect without the
5 invalid provision or application, and to this end the provisions
6 of this Act are severable.

7 SECTION 14. This Act shall take effect upon its approval.



S.B. NO. 2740
S.D. 1
H.D. 2
C.D. 1

Report Title:

Claims Against the State; Appropriation

Description:

Appropriates funds to satisfy several claims against the State, its officers, or its employees. (CD1)

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

