
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 2020-2021 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		
13	AND SETTLEMENTS OF CLAIMS:		AMOUNT
14			
15	1. AGRIBUSINESS DEVELOPMENT CORPORATION:		
16			
17	Na Kia'i Kai v. Nakatani, et al.	\$	131,849.15
18	Civil No. 18-00005, USDC		Settlement
19			
20			
21	SUBTOTAL	\$	131,849.15



1	2.	DEPARTMENT OF THE ATTORNEY GENERAL:	
2			
3		Nickel v. Connors, et al.	\$ 5,000.00
4		Civil No. 20-00330, USDC	Settlement
5			
6			
7		SUBTOTAL	\$ 5,000.00
8			
9	3.	DEPARTMENT OF EDUCATION:	
10			
11		Chavis v. State of Hawaii, et al.	\$ 77,000.00
12		Civil No. 17-1-1455-09, First Circuit	Settlement
13			
14		Kenigton v. State of Hawaii, et al.	\$ 80,000.00
15		Civil No. 18-1-1443-09, First Circuit	Settlement
16			
17		Unga v. Board of Education, et al.	\$ 8,250.00
18		Civil No. 20-0000576, First Circuit	Settlement
19			
20		Yoon v. State of Hawaii, et al.	\$ 70,000.00
21		Civil No. 15-1-1664-08, First Circuit	Settlement
22			
23			
24		SUBTOTAL	\$ 235,250.00
25			
26	4.	DEPARTMENT OF HEALTH:	
27			
28		Dasalia, et al. v. Onaka, et al.	\$ 44,903.62
29		Civil No. 13-1-0373-02, First Circuit	Judgment
30			
31			
32		SUBTOTAL	\$ 44,903.62
33			
34	5.	DEPARTMENT OF LAND AND NATURAL RESOURCES:	
35			
36		Mahuka, et al. v. Mansker, et al.	\$ 115,000.00
37		Civil No. 17-1-0973-06, First Circuit	Settlement
38			
39			
40		SUBTOTAL	\$ 115,000.00



1	6.	DEPARTMENT OF PUBLIC SAFETY:		
2				
3		Iuli v. State of Hawaii, et al.	\$	100,000.00
4		Civil No. 19-1-0634-04, First Circuit		Settlement
5				
6				
7		SUBTOTAL	\$	100,000.00
8				
9	7.	HAWAII STATE PUBLIC CHARTER COMMISSION:		
10				
11		Miller-Potter v. State of Hawaii, et al.	\$	75,000.00
12		Civil No. 16-1-0385K, Third Circuit		Settlement
13				
14		HGEA/AFSCME on Behalf of Ardith Renteria,	\$	74,053.25
15		and Charter Volcano School of		Judgment
16		Arts and Sciences		
17				
18		SUBTOTAL	\$	149,053.25
19				
20	8.	MISCELLANEOUS CLAIMS:		
21				
22		Gregory Au	\$	240.00
23				
24		Caitlyn LD Cagaoan	\$	50.00
25				
26		Christopher Carreon	\$	815.40
27				
28		Holiday Jewelers of Hawaii, Inc.	\$	1,080.21
29				
30		Melvin Ishizu	\$	6,041.40
31				
32		Robert D. Linn	\$	728.00
33				
34		Matthew Lutey	\$	94.00
35				
36		Mercede Nacion	\$	150.00
37				
38		Barbara J. Nakagawa	\$	75.00
39				
40		Donna Noguchi	\$	503.00



1	Leon Richards	\$	2,297.45
2			
3	Gregory and Sarah Rocheleau	\$	1,367.00
4			
5	Jerome and Anne Ryan	\$	5,536.61
6			
7	Waste Management of Hawaii, Inc.	\$	15,654.47
8			
9	Lana Wold	\$	2,105.55
10			
11			
12	SUBTOTAL:	\$	36,738.09
13			
14	TOTAL (SECTION 1):	\$	817,794.11

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

17 PART II

18 SECTION 2. The following sums or so much thereof as may be
 19 necessary for fiscal year 2020-2021 are appropriated out of the
 20 state highway fund for the purpose of satisfying claims for
 21 legislative relief as to the following named persons, for claims
 22 against the State or its officers or employees for payments of
 23 judgments or settlements, or other liabilities, in the amounts
 24 set forth opposite their names:

25	JUDGMENTS AGAINST THE STATE		AMOUNT
26	AND SETTLEMENTS OF CLAIMS:		
27			
28	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:		
29			
30	Link v. State of Hawaii	\$	50,000.00



1	Civil No. 20-0000681, First Circuit	Settlement
2		
3	Siu, et al. v. State of Hawaii	\$ 995,000.00
4	Civil No. 16-1-1230-06, First Circuit	Settlement
5		
6		<hr/>
7	TOTAL (SECTION 2):	\$ 1,045,000.00

8 The sums appropriated shall be expended by the department
9 of transportation, highways division, for the purposes of this
10 Act.
11

12 PART III

13 SECTION 3. The sums hereinabove may be paid to the
14 respective persons, or for the satisfaction or settlement of the
15 respectively identified cases, and in several amounts
16 hereinabove set forth or in lesser amounts deemed appropriate,
17 upon checks issued by the comptroller; provided that departments
18 shall obtain the approval of the attorney general before payment
19 of any claim may be made.

20 SECTION 4. Notwithstanding the sums hereinabove stated as
21 interest upon judgments against the State, payment of interest
22 shall be limited to the period from the date of judgment, if
23 applicable, to thirty days after the effective date of this Act,
24 as provided in section 662-8, Hawaii Revised Statutes, for those
25 cases to which the statute applies.



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

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

10 SECTION 7. This Act shall take effect on July 1, 3021.



S.B. NO. 1039
S.D. 1
H.D. 1

Report Title:

Claims Against the State

Description:

Makes appropriations and approves payments for claims against the State, its officers, and its employees. Effective 7/1/3021.
(HD1)

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

2021-2612 SB1039 HD1 HMSO

