



1	2.	DEPARTMENT OF THE ATTORNEY GENERAL:	
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3		Fotoudis v. City and County of Honolulu,	\$ 7,250.00
4		et al., Civil No. 14-00333, USDC	Settlement
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7		SUBTOTAL	\$ 7,250.00
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10	3.	DEPARTMENT OF EDUCATION:	
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12		Lee-Vith, et al. v. Department of Education,	\$ 13,500.00
13		et al., Civil No. 12-1-2443-09, First Circuit	Settlement
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16		SUBTOTAL:	\$ 13,500.00
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18	4.	HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND:	
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20		In the Matter of Dr. Morton Cotlar	\$ 30,589.00
21		Case No. 2014-001	Settlement
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24		SUBTOTAL:	\$ 30,589.00
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26	5.	DEPARTMENT OF HUMAN SERVICES:	
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28		Costales v. Rosete, et al.	\$ 462,594.00
29		Civil No. 07-1-2360-12, First Circuit	Settlement
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32		SUBTOTAL:	\$ 462,594.00
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34	6.	DEPARTMENT OF LAND AND NATURAL RESOURCES:	
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36		Tort Claim of Lisa M. Shamis	\$ 45,000.00
37			Settlement
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40		SUBTOTAL:	\$ 45,000.00
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1	7.	DEPARTMENT OF PUBLIC SAFETY:	
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3		Slingluff v. State of Hawaii, et al.	\$1,036,395.94
4		Civil No. 06-1-1654-09, First Circuit	Judgment
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6		Waiolama, et al. v. State of Hawaii, et al.	\$ 69,094.33
7		Civil No. 09-1-0679-03, First Circuit	Judgment
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10		SUBTOTAL:	\$1,105,490.27
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12	8.	MISCELLANEOUS CLAIMS:	
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14		Raedrina A. Kealoha	\$ 51.12
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16		Korean Airlines Co., Ltd.	\$ 2,177.50
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18		Thomas K. Nagano	\$ 199.80
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21		SUBTOTAL:	\$ 2,428.42
22		Total (SECTION 1):	\$1,679,252.69

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

PART II

26 SECTION 2. The following sums or so much thereof as may be  
 27 necessary for fiscal year 2014-2015 are appropriated out of the  
 28 state highway fund for the purpose of satisfying claims for  
 29 legislative relief as to the following named persons, for claims  
 30 against the State or its officers or employees for payments of

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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:**

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6 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:

7  
8 Higa v. State of Hawaii, et al. \$ 72,000.00  
9 Civil No. 14-1-0751 ECN, First Circuit Settlement

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12 SUBTOTAL: \$ 72,000.00

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14 TOTAL (SECTION 2) \$ 72,000.00

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

19 PART III

20 SECTION 3. The following sums or so much thereof as may be  
21 necessary for fiscal year 2014-2015 are appropriated out of the  
22 state harbor fund for the purpose of satisfying claims for  
23 legislative relief as to the following named persons, for claims  
24 against the State or its officers or employees for payments of  
25 judgments or settlements, or other liabilities, in the amount  
26 set forth opposite their names:

27 **JUDGMENTS AGAINST THE STATE** **AMOUNT**  
28 **AND SETTLEMENTS OF CLAIMS:**

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DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION:

Barnard v. State of Hawaii, et al.	\$	93,734.77
Civil No. 12-1-2924-11, First Circuit		Settlement
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SUBTOTAL:	\$	93,734.77
TOTAL (SECTION 3)	\$	93,734.77

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

PART IV

SECTION 4. The sums hereinabove may be paid to the respective persons, or 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 departments shall obtain the approval of the attorney general before payment of any claim can be made.

SECTION 5. 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 judgment, if applicable, to thirty days after the effective date of this Act,

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1 as provided in section 662-8, Hawaii Revised Statutes, for those  
2 cases to which the statute applies.

3 SECTION 6. All unexpended and unencumbered balances of the  
4 appropriations made in this Act as of the close of business on  
5 June 30, 2016, shall lapse.

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

12 SECTION 8. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

**Report Title:**

Appropriations; Claims Against State

**Description:**

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

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

JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.

PURPOSE: Provide for the authorization and payment of claims against the State for refunds of taxes, for judgments and settlements, and for other miscellaneous payments as provided by chapters 37, 661, and 662, Hawaii Revised Statutes.

MEANS: Authorize and appropriate funds for the payment of such claims.

JUSTIFICATION: This bill serves as the vehicle by which claims against the State are transmitted to the Legislature for its consideration. The Legislature will be asked to authorize and fund the payment of such claims by an appropriation of general and special funds. Timely passage of this bill will serve to minimize interest on those amounts for which interest is accruing.

Impact on the public: There would be no direct impact on the public other than the persons whose claims are being paid.

Impact on the department and other agencies: Claims eligible for payment from a special fund will generally be charged to that special fund rather than the general fund. Certain claims will be paid from a department's appropriation as reflected in the budget bill. In such case, that department will be responsible for finding the moneys in its budget to pay for the judgments and settlements rendered against it.



The general fund appropriation included in this measure has been proposed with consideration of the statutorily defined appropriation ceiling for the Executive Branch pursuant to section 37-92, Hawaii Revised Statutes. Including appropriations made up to and including the regular session of 2014, there is still a margin of \$20,838,402 between the Executive Branch appropriation ceiling and currently authorized appropriations for fiscal year 2014-2015. However, total funding in emergency appropriation measures submitted to the Legislature will result in the appropriation ceiling for the Executive Branch to be exceeded in fiscal year 2014-2015. Because of the uncertainty in the order in which these measures will be enacted, it is being assumed that the funding requested in this measure to pay claims against the State, its Officers or its Employees, will result in the appropriation ceiling for the Executive Branch to be exceeded in fiscal year 2014-2015 by \$1,679,252.69 or .026 percent. This current declaration takes into account additional general fund appropriations authorized for fiscal year 2014-2015 in this measure only, and does not include other general fund appropriations for fiscal year 2014-2015 that may be authorized for the Executive Branch in other legislation submitted to the Legislature during the regular session of 2015.

GENERAL FUND:	\$1,679,252.69
OTHER FUNDS:	\$165,734.77
PPBS PROGRAM DESIGNATION:	Various.
OTHER AFFECTED AGENCIES:	None.
EFFECTIVE DATE:	Upon approval.