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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		
20			



1	2.	DEPARTMENT OF EDUCATION:		
2		Clark, et al. v. Department of Education,	\$	35,000.00
3		et al., Civil No. 15-1-2486-12,		Settlement
4		First Circuit		
5				
6	3.	DEPARTMENT OF HAWAIIAN HOME LANDS:		
7				
8		Arthur, et al. v. State of Hawaii, et al.	\$	200,000.00
9		Civil No. 05-1-1981-11, First Circuit		Settlement
10				
11	4.	DEPARTMENT OF HEALTH:		
12				
13		Johnson v. Rainbow Rehabilitation Services,	\$	1,601,536.97
14		Inc., et al., Civil No. 07-1-1855-10,		Judgment
15		First Circuit		
16				
17	5.	DEPARTMENT OF HUMAN SERVICES:		
18				
19		Ah Chong, et al. v. McManaman	\$	850,000.00
20		Civil No. 13-00663 LEK-KSC, USDC		Settlement
21				
22		Kalili v. Department of Human Services,	\$	115,000.00
23		et al., Civil No. 13-1-0171, Third Circuit		Settlement
24				
25		Lahti, et al. v. State of Hawaii, et al.	\$	500,000.00
26		Civil No. 08-1-0132(3), Second Circuit		Settlement
27				
28		Sheehey, et al. v. State of Hawaii	\$	2,341,103.10
29		Civil No. 14-1-1709-08 VLC, First Circuit		Settlement
30				
31	6.	DEPARTMENT OF PUBLIC SAFETY:		
32				
33		Hopfe v. State of Hawaii, et al.	\$	20,000.00
34		Civil No. 16-1-0645-04, First Circuit		Settlement
35				
36		Smith v. State of Hawaii, et al.	\$	50,000.00
37		Civil No. 14-00432 LEK-KSC, USDC		Settlement
38				



## 7. HAWAII STATE PUBLIC LIBRARY SYSTEM:

1			
2	Woolpert v. State of Hawaii, et al.	\$	155,000.00
3	Civil No. 15-1-0923-05, First Circuit		Settlement
4			<hr style="width: 100%;"/>
5			
6	SUBTOTAL:	\$	5,920,140.07
7			
8	TOTAL (Section 1):	\$	5,920,140.07
9			

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

12 **PART II**

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

			AMOUNT
20	<b>JUDGMENTS AGAINST THE STATE</b>		
21	<b>AND SETTLEMENTS OF CLAIMS:</b>		
22			
23	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:		
24			
25	Van Vleet v. Costales, et al.	\$	70,000.00
26	Civil No. 17-1-0951-06, First Circuit		Settlement
27			
28	Claim of Garrison Property and Casualty	\$	19,312.84
29	Insurance Company USAA		Settlement
30			



1	Imada v. State of Hawaii, et al.	
2	Civil No. 14-1-0401K, Third Circuit	
3	and	
4	Ocampo v. State of Hawaii, et al.	\$ 1,300,000.00
5	Civil No. 16-1-234K, Third Circuit	Settlement
6		
7		<hr/>
8	SUBTOTAL:	\$ 1,389,312.84
9		
10	TOTAL (Section 2):	\$ 1,389,312.84
11		

12 The sums appropriated shall be expended by the department  
 13 of transportation, highways division, for the purposes of this  
 14 Act.

15 **PART III**

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

23 SECTION 4. Notwithstanding the sums hereinabove stated as  
 24 interest upon judgments against the State, payment of interest  
 25 shall be limited to the period from the date of judgment, if  
 26 applicable, to thirty days after the effective date of this Act,



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

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

6 SECTION 6. If any provision of this Act, or the  
7 application thereof to any person or circumstance, is held  
8 invalid, the invalidity does not affect other provisions or  
9 applications of the Act that 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 7. This Act shall take effect upon its approval.



**Report Title:**

Claims Against the State; Appropriation

**Description:**

Appropriates funds to satisfy several claims against the State, its officers, or its employees. (SB2740 HD1)

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

