



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

August 7, 2020

GOV. MSG. NO. 1115

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on August 7, 2020, the following bill was signed into law:

SB2844 SD2 HD2

MAKING APPROPRIATIONS FOR CLAIMS
AGAINST THE STATE, ITS OFFICERS, OR ITS
EMPLOYEES.

ACT 011 (20)

Sincerely,

DAVID Y. IGE

Governor, State of Hawai'i

Approved by the Governor

~~on~~ AUG 07 2020

THE SENATE
THIRTIETH LEGISLATURE, 2020
STATE OF HAWAII

ACT 011
S.B. NO. 2844
S.D. 2
H.D. 2

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 2019-2020 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. MISCELLANEOUS CLAIMS:	
16	
17 Loretta Beralas	\$ 2.01
18	
19 Grace Blevins	\$ 400.28
20	
21 BVT-CAM Private Equity Global Fund II	\$ 16,000.00



1	Beteiligungs GmbH		
2			
3	CAM Private Equity Verwaltungs GmbH	\$	51,300.00
4			
5	CAM Select I Beteiligungs GmbH	\$	42,500.00
6			
7	Kathleen A. Kehlor Harper	\$	809.11
8			
9	Amanda Jamieson	\$	23,125.00
10			
11	Margaret Jamieson	\$	23,125.00
12			
13	John and Deborah Mar	\$	866.75
14			
15	Nanci J. Merck	\$	93.93
16			
17	Betty Y. Ohigashi	\$	1,023.99
18			
19	The Estate of Calvin C. Ontai	\$	578.40
20			
21	Judith Ross	\$	578.40
22			
23	Elaine S. Tanigawa	\$	1,000.00
24			
25	Barbara H. Ursal	\$	289.20
26			
27	Christine Woods	\$	388.19
28			
29			
30	SUBTOTAL:	\$	162,080.26
31			
32	TOTAL (SECTION 1):	\$	162,080.26

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

35 PART II



1 SECTION 2. The following sums or so much thereof as may be
 2 necessary for fiscal year 2019-2020 are appropriated out of the
 3 state highway fund for the purpose of satisfying claims for
 4 legislative relief as to the following named persons, for claims
 5 against the State or its officers or employees for payments of
 6 judgments or settlements, or other liabilities, in the amounts
 7 set forth opposite their names:

8 JUDGMENTS AGAINST THE STATE	AMOUNT
9 AND SETTLEMENTS OF CLAIMS:	
10	
11 1. DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
12	
13 Hayselden, et al. v. State of Hawaii, et al. \$	300,000.00
14 Civil No. 17-1-0204, Third Circuit	Settlement
15	
16 Vares, et al. v. State of Hawaii, et al. \$	650,000.00
17 Civil No. 16-1-0512-03, First Circuit	Settlement
18	
19	<hr/>
20 SUBTOTAL:	\$ 950,000.00
21	
22 TOTAL (SECTION 2)	\$ 950,000.00

22 The sums appropriated shall be expended by the department
 23 of transportation, highways division, for the purposes of this
 24 Act.

PART III

26 SECTION 3. The legislature finds and declares that the
 27 following claim for legislative relief recommended for approval



1 as to the following named person for claims against the State or
2 the department of education or its officers or employees for the
3 payment of judgments or settlements, or other liabilities, in
4 the amount set forth opposite their name, is approved for
5 payment:

6 JUDGMENTS AGAINST THE STATE	AMOUNT
7 AND SETTLEMENTS OF CLAIMS:	
8	
9 1. DEPARTMENT OF EDUCATION:	
10	
11 Zhang v. State of Hawaii, et al.	\$ 130,000.00
12 Civil No. 19-1-0824-05, First Circuit	Settlement
13	<hr/>
14	
15 SUBTOTAL	\$ 130,000.00
16	
17 TOTAL (SECTION 3)	\$ 130,000.00

18 Provided that of legislative appropriation item G-2 for the
19 department of education for fiscal year 2019-2020 in section 3
20 of Act 5, Session Laws of Hawaii 2019, the general fund sum of
21 \$130,000 shall be expended from the fiscal year 2019-2020 budget
22 (EDN 150, general funds) by the department of education for the
23 purposes of this Act.

24 PART IV

25 SECTION 4. The legislature finds and declares that the
26 following claim for legislative relief recommended for approval



1 as to the following named person for claims against the State or
2 the department of education or its officers or employees for the
3 payment of judgments or settlements, or other liabilities, in
4 the amount set forth opposite their name, is approved for
5 payment:

6 JUDGMENTS AGAINST THE STATE	AMOUNT
7 AND SETTLEMENTS OF CLAIMS:	
8	
9 1. DEPARTMENT OF EDUCATION:	
10	
11 Lau, et al. v. Kenui, et al.	\$ 40,000.00
12 Civil No. 17-1-0209, Third Circuit	Settlement
13	<hr/>
14	
15 SUBTOTAL	\$ 40,000.00
16	
17 TOTAL (SECTION 4)	\$ 40,000.00

18 Provided that of legislative appropriation item G-1 for the
19 department of education for fiscal year 2019-2020 in section 3
20 of Act 5, Session Laws of Hawaii 2019, the general fund sum of
21 \$40,000 shall be expended from the fiscal year 2019-2020 budget
22 (EDN 100, general funds) by the department of education for the
23 purposes of this Act.

24 PART V

25 SECTION 5. The legislature finds and declares that the
26 following claims for legislative relief recommended for approval



1 as to the following named persons for claims against the State
2 or the department of land and natural resources or its officers
3 or employees for the payment of judgments or settlements, or
4 other liabilities, in the amount set forth opposite their name,
5 is approved for payment:

6 JUDGMENTS AGAINST THE STATE	AMOUNT
7 AND SETTLEMENTS OF CLAIMS:	
8	
9 1. DEPARTMENT OF LAND AND NATURAL RESOURCES:	
10	
11 Ching, et al. v. Case, et al.	\$ 9,514.99
12 Civil No. 14-1-1085-04, First Circuit	Judgment
13	
14 Gold Coast Neighborhood Association v.	\$ 13,160.94
15 State of Hawaii, et al.	Judgment
16 Civil No. 07-1-1122-06, First Circuit	
17	
18 Keauhou Canoe Club v. Department of Land	\$ 9,918.58
19 and Natural Resources, et al.	Judgment
20 Civil No. 13-1-678K, Third Circuit	
21	
22	<hr/>
23 SUBTOTAL	\$ 32,594.51
24	
25 TOTAL (SECTION 5)	\$ 32,594.51

26 Provided that of legislative appropriation item D-9 for the
27 department of land and natural resources for fiscal year
28 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019,
29 the general fund sum of \$32,594.51 shall be expended from the
30 fiscal year 2019-2020 budget (LNR 906, general funds) by the



1 department of land and natural resources for the purposes of
2 this Act.

3 PART VI

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

11 JUDGMENTS AGAINST THE STATE	AMOUNT
12 AND SETTLEMENTS OF CLAIMS:	
13	
14 1. DEPARTMENT OF PUBLIC SAFETY:	
15	
16 Shiira v. State of Hawaii, et al.	\$ 44,946.75
17 Civil No. 13-1-0331, Fifth Circuit	Judgment
18	<hr/>
19	
20 SUBTOTAL	\$ 44,946.75
21	
22 TOTAL (SECTION 6)	\$ 44,946.75

23 Provided that of legislative appropriation item I-7 for the
24 department of public safety for fiscal year 2019-2020 in section
25 3 of Act 5, Session Laws of Hawaii 2019, the general fund sum of
26 \$44,946.75 shall be expended from the fiscal year 2019-2020



1 budget (PSD 408, general funds) by the department of public
2 safety for the purposes of this Act.

3 PART VII

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

11 JUDGMENTS AGAINST THE STATE	AMOUNT
12 AND SETTLEMENTS OF CLAIMS:	
14 1. DEPARTMENT OF PUBLIC SAFETY:	
16 Lana v. State of Hawaii, et al. 17 Civil No. 13-1-2365-08, First Circuit	\$ 40,000.00 Settlement
20 SUBTOTAL	\$ 40,000.00
22 TOTAL (SECTION 7)	\$ 40,000.00

23 Provided that of legislative appropriation item I-6 for the
24 department of public safety for fiscal year 2019-2020 in
25 section 3 of Act 5, Session Laws of Hawaii 2019, the general
26 fund sum of \$40,000.00 shall be expended from the fiscal year



1 2019-2020 budget (PSD 407, general funds) by the department of
2 public safety for the purposes of this Act.

3 PART VIII

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

11 JUDGMENTS AGAINST THE STATE	AMOUNT
12 AND SETTLEMENTS OF CLAIMS:	
13	
14 1. DEPARTMENT OF PUBLIC SAFETY:	
15	
16 Firth, et al. v. County of Maui, et al.	\$ 350,000.00
17 Civil No. 18-1-0234(4), Second Circuit	Settlement
18	<hr/>
19	
20 SUBTOTAL	\$ 350,000.00
21	
22 TOTAL (SECTION 8)	\$ 350,000.00

23 Provided that of legislative appropriation item I-15 for
24 the department of public safety for fiscal year 2019-2020 in
25 section 3 of Act 5, Session Laws of Hawaii 2019, the general
26 fund sum of \$350,000 shall be expended from the fiscal year



1 2019-2020 budget (PSD 503, general funds) by the department of
2 public safety for the purposes of this Act.

3 PART IX

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

11 JUDGMENTS AGAINST THE STATE	AMOUNT
12 AND SETTLEMENTS OF CLAIMS:	
13	
14 1. HAWAII COMMUNITY DEVELOPMENT AUTHORITY:	
15	
16 Carolyn Ward Aki v. City and County of	\$ 55,000.00
17 Honolulu, et al.	Settlement
18 Civil No. 17-1-1861-11 GWBC, First Circuit	
19	_____
20	
21 SUBTOTAL	\$ 55,000.00
22	
23 TOTAL (SECTION 9)	\$ 55,000.00

24 Provided that of legislative appropriation item A-24 for
25 the Hawaii community development authority for fiscal year
26 2019-2020 in section 3 of Act 5, Session Laws of Hawaii 2019,
27 the general fund sum of \$55,000 shall be expended from the



1 fiscal year 2019-2020 budget (BED 150, general funds) by the
2 Hawaii community development authority for the purposes of this
3 Act.

4 PART X

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

12 JUDGMENTS AGAINST THE STATE	AMOUNT
13 AND SETTLEMENTS OF CLAIMS:	
14	
15 1. HAWAII STATE PUBLIC LIBRARY SYSTEM:	
16	
17 United States Environmental Protection	\$ 143,990.00
18 Agency, Region 9 - Hawaii State Public	Settlement
19 Library System	
20	-----
21	
22 SUBTOTAL	\$ 143,990.00
23	
24 TOTAL (SECTION 10)	\$ 143,990.00

25 Provided that of legislative appropriation item G-14 for
26 the Hawaii state public library system for fiscal year 2019-2020
27 in section 3 of Act 5, Session Laws of Hawaii 2019, the general



1 fund sum of \$143,990 shall be expended from the fiscal year
2 2019-2020 budget (EDN 407, general funds) by the Hawaii state
3 public library system for the purposes of this Act.

4 PART XI

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

12 JUDGMENTS AGAINST THE STATE	AMOUNT
13 AND SETTLEMENTS OF CLAIMS:	
14	
15 1. STATE PUBLIC CHARTER SCHOOL COMMISSION:	
16	
17 HGEA/AFSCME on Behalf of Ardith Renteria,	\$ 71,594.18
18 and Charter Volcano School of Arts and	Judgment
19 Sciences	
20	
21 Miller-Potter v. State of Hawaii, et al.	\$ 75,000.00
22 Civil No 16-1-0385K, Third Circuit	Settlement
23	
24	-----
25	
26 SUBTOTAL	\$ 146,594.18
27	
28 TOTAL (SECTION 11)	\$ 146,594.18



1 Provided that of legislative appropriation item G-7 for the
2 state public charter school commission for fiscal year 2019-2020
3 in section 3 of Act 5, Session Laws of Hawaii 2019, the general
4 fund sum of \$146,594.18 shall be expended from the fiscal year
5 2019-2020 budget (EDN 600, general funds) by the state public
6 charter school commission for the purposes of this Act.

7 PART XII

8 SECTION 12. The sums hereinabove may be paid to the
9 respective persons, or for the satisfaction or settlement of the
10 respectively identified cases, and in several amounts
11 hereinabove set forth or in lesser amounts deemed appropriate,
12 upon checks issued by the comptroller; provided that departments
13 shall obtain the approval of the attorney general before payment
14 of any claim can be made.

15 SECTION 13. Notwithstanding the sums hereinabove stated as
16 interest upon judgments against the State, payment of interest
17 shall be limited to the period from the date of judgment, if
18 applicable, to thirty days after the effective date of this Act,
19 as provided in section 662-8, Hawaii Revised Statutes, for those
20 cases to which the statute applies.



1 SECTION 14. All unexpended and unencumbered balances of
2 the appropriations made in this Act as of the close of business
3 on June 30, 2021, shall lapse; provided that any funds
4 appropriated for fiscal year 2019-2020 by Act 5, Session Laws of
5 Hawaii 2019, to the programs referenced in this Act that are not
6 expended or encumbered for the specific purposes described in
7 this Act as of the close of business on June 30, 2021, shall
8 also lapse.

9 SECTION 15. If any provision of this Act, or the
10 application thereof to any person or circumstance is held
11 invalid, the invalidity does not affect other provisions or
12 applications of the Act, which can be given effect without the
13 invalid provision or application, and to this end the provisions
14 of this Act are severable.

15 SECTION 16. This Act, upon its approval, shall take effect
16 retroactive to June 30, 2020.

APPROVED this 07 day of AUG, 2020

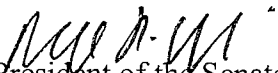



GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: July 10, 2020
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2020.


President of the Senate


Clerk of the Senate

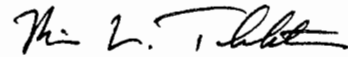
THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: July 6, 2020
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives