
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. Kehler 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	
20 SUBTOTAL:	\$ 950,000.00
21	
22 TOTAL (SECTION 2)	\$ 950,000.00

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

26 PART III

27 SECTION 3. The legislature finds and declares that the
 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	-----
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:	
13	
14 1. DEPARTMENT OF PUBLIC SAFETY:	
15	
16 Lana v. State of Hawaii, et al.	\$ 40,000.00
17 Civil No. 13-1-2365-08, First Circuit	Settlement
18	<hr/>
19	
20 SUBTOTAL	\$ 40,000.00
21	
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 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.



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

Report Title:

Claims Against the State

Description:

Makes appropriations and approves payments for claims against the State, its officers, and its employees. Effective retroactive to 6/30/2020. (HD2)

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

SB2844 HD2 HMS 2020-2151

