
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 2005-2006 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	Oceanic Companies, Inc. v. State of	\$ 130,800.00
18	Hawaii, Civil No. 04-1-0054,	Settlement
19	Fifth Circuit	
20		
21	SUBTOTAL:	<hr/> \$ 130,800.00



1	2.	DEPARTMENT OF EDUCATION:		
2				
3		Aldana, Cesar (Tort Claim)	\$	137,500.00
4				Settlement
5				
6		Cacho v. State of Hawaii, et al.	\$	25,000.00
7		Civil No. 04-1-1091-06, First Circuit		Settlement
8				
9		Sula, Pamata (Tort Claim)	\$	125,000.00
10				Settlement
11				
12		SUBTOTAL:	\$	287,500.00
13				
14	3.	DEPARTMENT OF HUMAN SERVICES:		
15				
16		Hirata v. Chandler, et al.	\$	90,000.00
17		Civil No. 02-1-2277-09, First Circuit		Settlement
18				
19		Ryan, et al. v. Kamaka, et al.	\$	47,500.00
20		Civil No. 03-00384, USDC		Settlement
21				
22		SUBTOTAL:	\$	137,500.00
23				
24	4.	DEPARTMENT OF PUBLIC SAFETY:		
25				
26		Abiley v. State of Hawaii	\$	23,000.00
27		Civil No. 04-1-0725-04, First Circuit		Settlement
28				
29		SUBTOTAL:	\$	23,000.00
30				
31	5.	MISCELLANEOUS CLAIMS:		
32				
33		Boetcher, Barbara E.	\$	65.08
34				
35		SUBTOTAL:	\$	65.08
36				
37		TOTAL (SECTION 1):	\$	578,865.08

38 The sums appropriated shall be expended by the department
39
40 of the attorney general for the purposes of this Act.



PART II

1
2 SECTION 2. The following sums or so much thereof as may be
3 necessary for fiscal year 2005-2006 are appropriated out of the
4 state highway fund for the purpose of satisfying claims for
5 legislative relief as to the following named persons, for claims
6 against the State or its officers or employees for payments of
7 judgments or settlements, or other liabilities, in the amount
8 set forth opposite their names:

9 JUDGMENTS AGAINST THE STATE	AMOUNT
10 AND SETTLEMENTS OF CLAIMS:	
11	
12 DEPARTMENT OF TRANSPORTATION,	
13 HIGHWAYS DIVISION:	
14	
15 Moniz, et al. v. Keola, et al.	\$ 75,000.00
16 Civil No. 02-1-2741-11, First Circuit	Settlement
17	
18 SUBTOTAL:	<u>\$ 75,000.00</u>
19	
20 TOTAL (SECTION 2):	\$ 75,000.00
21	

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

25 SECTION 3. The sums hereinabove may be paid to the
26 respective persons, or for the satisfaction or settlement of the
27 respectively identified cases, and in several amounts
28 hereinabove set forth or in lesser amounts deemed appropriate,

1 upon checks issued by the comptroller; provided that the
2 departments shall obtain the approval of the attorney general
3 before payment of any claim can be made.

4 SECTION 4. Notwithstanding the sums hereinabove stated as
5 interest upon judgments against the State, payment of interest
6 shall be limited to the period from the date of judgment, if
7 applicable, to thirty days after the effective date of this
8 part, as provided in section 662-8, Hawaii Revised Statutes, for
9 those cases to which the statute applies.

10 PART III

11 SECTION 5. All unexpended and unencumbered balances of the
12 appropriations made in this Act as of the close of business on
13 June 30, 2007, shall lapse.

14 SECTION 6. If any provision of this Act, or the
15 application thereof to any person or circumstance is held
16 invalid, the invalidity does not affect other provisions or
17 applications of the Act, which can be given effect without the
18 invalid provision or application, and to this end the provisions
19 of this Act are severable.

20 SECTION 7. This Act shall take effect upon its approval.



HB 2277
HD1

Report Title:

Claims against the State; appropriations

Description:

Provides for the authorization and payment of claims against the State for refunds of taxes, for judgments and settlements, and for other miscellaneous payments. (HB2277 HD1)

