
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 2007-2008 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 BUDGET AND FINANCE	
16	
17 In re Katsumi Honda	\$ 65,000.00
18	Settlement
19	
20 SUBTOTAL:	\$ 65,000.00
21	

22 2. DEPARTMENT OF EDUCATION:
23



1	Ena v. State of Hawaii, et al.	\$	35,954.52
2	Civil No. 04-1-2064-11, First Circuit		Judgment
3	Amount of judgment:	\$	35,168.29
4	4% interest		
5	from 9/13/06-7/31/07:	\$	786.23
6			
7	Fontaine v. Waiialae Elementary School,	\$	21,010.41
8	et al., Civil No. 1RC05-1-1583,		Judgment
9	District Court of the First Circuit		
10	Amount of judgment:	\$	20,000.00
11	4% interest		
12	from 4/22/06-7/31/07:	\$	1,010.41
13			
14	Grossman v. State of Hawaii, et al.	\$	11,916.40
15	Civil No. 03-1-0213(1), Second Circuit		Judgment
16	Amount of judgment:	\$	11,510.23
17	4% interest		
18	from 9/13/06-7/31/07:	\$	406.17
19			
20	Haines v. State of Hawaii, et al.	\$	25,000.00
21	Civil No. 05-1-0440(3), Second Circuit		Settlement
22			
23	Kwock v. State of Hawaii, et al.		
24	Civil No. 05-00241, United States District	\$	60,000.00
25	Court		Settlement
26			
27	Miyashiro, et al. v. State of Hawaii	\$	65,000.00
28	Civil No. 05-1-1339-07, First Circuit		Settlement
29			
30	Shiple v. State of Hawaii, Department	\$	50,000.00
31	of Education, et al.		Settlement
32	Civil No. 05-00145, United States District		
33	Court		
34	SUBTOTAL:	\$	268,881.33
35			
36	3. HAWAII PUBLIC HOUSING AUTHORITY:		
37			
38	Waters, et al. v. Housing and Community	\$	155,000.00
39	Development Corporation of Hawaii, et al.		Settlement
40	Civil No. 05-1-0815-05, First Circuit		
41			
42	SUBTOTAL:	\$	155,000.00
43			



1	4.	DEPARTMENT OF HAWAIIAN HOME LANDS:	
2			
3		Kalima, et al. v. State of Hawaii, et al.	\$ 166,979.38
4		Civil No. 99-4771-12, First Circuit	Judgment
5		S.Ct. No. 24784	
6			
7		SUBTOTAL:	\$ 166,979.38
8			
9	5.	DEPARTMENT OF HEALTH:	
10			
11		Vargas v. Johnson, et al.	\$ 85,000.00
12		Civil No. 04-1-0317, Second Circuit	Settlement
13			
14		SUBTOTAL:	\$ 85,000.00
15			
16	6.	DEPARTMENT OF HUMAN SERVICES	
17			
18		In the Matter of the Adoption of a Female	\$ 7,219.40
19		Child, born on December 21, 1994, by Roger	Settlement
20		Douglas Powell and Tequilla Lanier Ramsey Powell	
21		FC-A No. 04-10491, Family Court of the First Circuit	
22			
23		SUBTOTAL:	\$ 7,219.40
24			
25	7.	DEPARTMENT OF LAND AND NATURAL RESOURCES:	
26			
27		She v. State of Hawaii, et al.	\$ 90,000.00
28		Civil No. 05-00578, United States District	Settlement
29		Court	
30			
31		SUBTOTAL:	\$ 90,000.00
32			
33	8.	DEPARTMENT OF PUBLIC SAFETY:	
34			
35		Branco v. State of Hawaii, et al.	\$ 15,000.00
36		Civil No. 04-1-0250-02, First Circuit	Settlement
37			
38		Cummings v. State of Hawaii, et al.	\$ 131,633.26
39		Civil No. 02-1-1831-08, First Circuit	Judgment
40		Amount of judgment: \$ 127,936.81	
41		Costs: \$ 1,011.50	
42		4% interest from	
43		12/29/06-7/31/07: \$ 2,684.95	



1			
2	Ellis, et al. v. Lopes, et al.	\$	88,000.00
3	Civil No. 06-00231, United States District		Settlement
4	Court		
5			
6	Gealon v. State of Hawaii, et al.	\$	17,000.00
7	Civil No. 06-1-1283-07, First Circuit		Settlement
8			
9	Piko v. State of Hawaii	\$	18,613.19
10	Civil No. 04-1-1511-08, First Circuit		Judgment
11	Amount of Judgment: \$ 18,208.12		
12	4% interest from		
13	1/10/07-7/31/07: \$ 405.07		
14			
15	Wong v. State of Hawaii, et al.	\$	25,000.00
16	Civil No. 04-1-0399(1), Second Circuit		Settlement
17			
18			
19	SUBTOTAL:	\$	295,246.45
20			
21	TOTAL (SECTION 1):	\$	1,133,326.56
22			

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

25 PART II

26 SECTION 2. The following sums or so much thereof as may be
27 necessary for fiscal year 2006-2007 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
31 judgments or settlements, or other liabilities, in the amount
32 set forth opposite their names:

33



1	JUDGMENTS AGAINST THE STATE	AMOUNT
2	AND SETTLEMENTS OF CLAIMS:	
3		
4	DEPARTMENT OF TRANSPORTATION,	
5	HIGHWAYS DIVISION:	
6		
7	Clark v. State of Hawaii, et al.	\$ 13,960.19
8	Civil No. 05-1-0363-03, First Circuit	Judgment
9	Amount of judgment: \$ 13,603.88	
10	4% interest	
11	From 11/13/06-7/31/07: \$ 356.31	
12		
13	Gillia v. State of Hawaii	\$ 40,000.00
14	Civil No. 05-1-1322-07, First Circuit	Settlement
15		
16	Medeiros v. State of Hawaii, et al.	\$ 36,784.03
17	Civil No. 04-1-1216-07, First Circuit	Judgment
18	Amount of judgment: \$35,975.81	
19	4% interest from	
20	From 1/8/07-7/31/07: \$ 808.22	
21		
22	Ramos v. State of Hawaii	\$ 135,000.00
23	Civil No. 04-1-1498-08, First Circuit	Settlement
24		
25	Taniguchi v. State of Hawaii, et al.	\$ 45,000.00
26	Civil No. 05-1-0500-03, First Circuit	Settlement
27		
28	Tradewind Insurance Company Limited	\$ 15,000.00
29	and Wesley Wong	Settlement
30		
31	SUBTOTAL:	\$ 285,744.22
32		
33	TOTAL (SECTION 2):	\$ 285,744.22
34		

35 The sums appropriated shall be expended by the department
36 of transportation, highways division, for the purposes of this
37 Act.

38 SECTION 3. The sums hereinabove may be paid to the
39 respective persons, or for the satisfaction or settlement of the



1 respectively identified cases, and in several amounts
2 hereinabove set forth or in lesser amounts deemed appropriate,
3 upon checks issued by the comptroller; provided departments must
4 obtain the approval of the attorney general before payment of
5 any claim can be made.

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

12 PART III

13 SECTION 5. All unexpended and unencumbered balances of the
14 appropriations made in this Act as of the close of business on
15 June 30, 2008, shall lapse.

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

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



Report Title:

Appropriations; Claims Against the State.

Description:

Provides for the authorization and payment of claims against the State for judgments and settlements. (HB1231 SD1)

