
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		



1	2.	DEPARTMENT OF EDUCATION:		
2				
3		Ena v. State of Hawaii, et al.	\$	35,954.52
4		Civil No. 04-1-2064-11, First Circuit		Judgment
5		Amount of judgment:	\$	35,168.29
6		4% interest		
7		from 9/13/06-7/31/07:	\$	786.23
8				
9		Fontaine v. Waiialae Elementary School,	\$	28,126.92
10		et al., Civil No. 1RC05-1-1583,		Judgment
11		District Court of the First Circuit		
12		Amount of judgment:	\$	20,000.00
13		Fees and costs:	\$	6,760.31
14		4% interest		
15		from 4/22/06-7/31/07:	\$	1,366.61
16				
17		Grossman v. State of Hawaii, et al.	\$	11,916.40
18		Civil No. 03-1-0213(1), Second Circuit		Judgment
19		Amount of judgment:	\$	11,510.23
20		4% interest		
21		from 9/13/06-7/31/07:	\$	406.17
22				
23		Haines v. State of Hawaii, et al.	\$	25,000.00
24		Civil No. 05-1-0440(3), Second Circuit		Settlement
25				
26		Kwock v. State of Hawaii, et al.		
27		Civil No. 05-00241, United States District	\$	60,000.00
28		Court		Settlement
29				
30		Miyashiro, et al. v. State of Hawaii	\$	65,000.00
31		Civil No. 05-1-1339-07, First Circuit		Settlement
32				
33		Shipley v. State of Hawaii, Department	\$	30,000.00
34		of Education, et al.		Settlement
35		Civil No. 05-00145, United States District		
36		Court		
37				
38		SUBTOTAL:	\$	255,997.84
39				



1	3.	HAWAII PUBLIC HOUSING AUTHORITY:	
2			
3		Waters, et al. v. Housing and Community	\$ 155,000.00
4		Development Corporation of Hawaii, et al.	Settlement
5		Civil No. 05-1-0815-05, First Circuit	
6			
7		SUBTOTAL:	<u>\$ 155,000.00</u>
8			
9	4.	DEPARTMENT OF HAWAIIAN HOME LANDS:	
10			
11		Kalima, et al. v. State of Hawaii, et al.	\$ 166,979.38
12		Civil No. 99-4771-12, First Circuit	Judgment
13		S.Ct. No. 24784	
14			
15		SUBTOTAL:	<u>\$ 166,979.38</u>
16			
17	5.	DEPARTMENT OF HEALTH:	
18			
19		Vargas v. Johnson, et al.	\$ 85,000.00
20		Civil No. 04-1-0317, Second Circuit	Settlement
21			
22		SUBTOTAL:	<u>\$ 85,000.00</u>
23			
24	6.	DEPARTMENT OF HUMAN SERVICES	
25			
26		In the Matter of the Adoption of a Female	\$ 7,219.40
27		Child, born on December 21, 1994, by Roger	Settlement
28		Douglas Powell and Tequilla Lanier Ramsey	
29		Powell	
30		FC-A No. 04-10491, Family Court of the	
31		First Circuit	
32			
33		SUBTOTAL:	<u>\$ 7,219.40</u>
34			
35	7.	DEPARTMENT OF LAND AND NATURAL RESOURCES:	
36			
37		She v. State of Hawaii, et al.	\$ 90,000.00
38		Civil No. 05-00578, United States District	Settlement
39		Court	
40			
41		SUBTOTAL:	<u>\$ 90,000.00</u>
42			



1	8.	DEPARTMENT OF PUBLIC SAFETY:	
2			
3		Branco v. State of Hawaii, et al.	\$ 15,000.00
4		Civil No. 04-1-0250-02, First Circuit	Settlement
5			
6		Cummings v. State of Hawaii, et al.	\$ 131,633.26
7		Civil No. 02-1-1831-08, First Circuit	Judgment
8		Amount of judgment: \$ 127,936.81	
9		Costs: \$ 1,011.50	
10		4% interest from	
11		12/29/06-7/31/07: \$ 2,684.95	
12			
13		Ellis, et al. v. Lopes, et al.	\$ 88,000.00
14		Civil No. 06-00231, United States District	Settlement
15		Court	
16			
17		Gealon v. State of Hawaii, et al.	\$ 17,000.00
18		Civil No. 06-1-1283-07, First Circuit	Settlement
19			
20		Piko v. State of Hawaii	\$ 18,613.19
21		Civil No. 04-1-1511-08, First Circuit	Judgment
22		Amount of Judgment: \$ 18,208.12	
23		4% interest from	
24		1/10/07-7/31/07: \$ 405.07	
25			
26		Wong v. State of Hawaii, et al.	\$ 25,000.00
27		Civil No. 04-1-0399(1), Second Circuit	Settlement
28			
29			
30		SUBTOTAL:	<u>\$ 295,246.45</u>
31			
32	9.	MISCELLANEOUS CLAIMS:	
33			
34		Nolls, Michael and Brigette	\$ 1,360.00
35		Misplaced check	
36			
37			
38		SUBTOTAL:	<u>\$ 1,360.00</u>
39			
40		TOTAL (SECTION 1):	\$1,121,803.07
41			



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

3 PART II

4 SECTION 2. The following sums or so much thereof as may be
5 necessary for fiscal year 2006-2007 are appropriated out of the
6 state highway fund for the purpose of satisfying claims for
7 legislative relief as to the following named persons, for claims
8 against the State or its officers or employees for payments of
9 judgments or settlements, or other liabilities, in the amount
10 set forth opposite their names:

11	JUDGMENTS AGAINST THE STATE	AMOUNT
12	AND SETTLEMENTS OF CLAIMS:	
13		
14	DEPARTMENT OF TRANSPORTATION,	
15	HIGHWAYS DIVISION:	
16		
17	Benjamin v. Stevenson, et al.	\$ 300,000.00
18	Civil No. 03-1-0040(3), Second Circuit Settlement	
19		
20	Clark v. State of Hawaii, et al.	\$ 13,960.19
21	Civil No. 05-1-0363-03, First Circuit Judgment	
22	Amount of judgment: \$ 13,603.88	
23	4% interest	
24	From 11/13/06-7/31/07: \$ 356.31	
25		
26	Gillia v. State of Hawaii	\$ 40,000.00
27	Civil No. 05-1-1322-07, First Circuit Settlement	
28		
29	Medeiros v. State of Hawaii, et al.	\$ 36,784.03
30	Civil No. 04-1-1216-07, First Circuit Judgment	
31	Amount of judgment: \$35,975.81	
32	4% interest from	
33	From 1/8/07-7/31/07: \$ 808.22	



1			
2	Ramos v. State of Hawaii	\$	135,000.00
3	Civil No. 04-1-1498-08, First Circuit		Settlement
4			
5	Taniguchi v. State of Hawaii, et al.	\$	45,000.00
6	Civil No. 05-1-0500-03, First Circuit		Settlement
7			
8	Tradewind Insurance Company Limited	\$	15,000.00
9	and Wesley Wong		Settlement
10			
11	SUBTOTAL:	\$	285,744.22
12			
13	TOTAL (SECTION 2):	\$	585,744.22
14			

15 The sums appropriated shall be expended by the department
16 of transportation, highways division, for the purposes of this
17 Act.

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

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



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

3 PART III

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

7 SECTION 6. If any provision of this Act, or the
8 application thereof to any person or circumstance is held
9 invalid, the invalidity does not effect other provisions or
10 applications of the Act, which can be given effect without the
11 invalid provision or application, and to this end the provisions
12 of this Act are severable.

13 SECTION 7. This Act shall take effect on July 1, 2007.



H.B. NO. 1231
H.D. 2
S.D. 2

Report Title:

Appropriations; Claims Against the State

Description:

Provides for the authorization and payment of claims against the State for judgments and settlements. (SD2)

