
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 ACCOUNTING AND GENERAL SERVICES:	
16	
17 Reale v. State of Hawaii, et al.	\$ 50,000.00
18 Civil No. 06-1-0928-05, First Circuit	Settlement
19	
20 SUBTOTAL:	<hr/> \$ 50,000.00
21	
22	
23	

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3	2.	DEPARTMENT OF HUMAN SERVICES:	
4			
5		Ruiz, et al. v. State of Hawaii, et al.	\$ 350,000.00
6		Civil No. 04-1-1739-09, First Circuit	Settlement
7			
8		SUBTOTAL:	<u>\$ 350,000.00</u>
9			
10	3.	DEPARTMENT OF PUBLIC SAFETY:	
11			
12		Branco v. State of Hawaii	\$ 12,357.46
13		Civil No. 06-1-0755-05, First Circuit	Settlement
14			
15		Gonsalves v. State of Hawaii	\$ 24,000.00
16		Civil No. 06-1-1843-10, First Circuit	Settlement
17			
18		Pregil v. State of Hawaii, et al.	\$ 10,092.80
19		Civil No. 06-1-0772-05, First Circuit	Judgment
20		Amount of Judgment: \$10,038.47	
21		4% interest from 4/11/07: \$54.33	
22			
23		SUBTOTAL:	<u>\$ 46,450.26</u>
24			
25	4.	MISCELLANEOUS CLAIMS:	
26			
27		Mitsue T. Kimata	\$ 131.40
28			
29		Dennis Donovan	\$ 2,975.20
30			
31		SUBTOTAL:	<u>\$ 3,106.60</u>
32			
33		TOTAL (SECTION 1):	\$ 449,556.86
34			

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

37 PART II

38 SECTION 2. The following sums or so much thereof as may be
 39 necessary for fiscal year 2007-2008 are appropriated out of the

1 state highway fund for the purpose of satisfying claims for
 2 legislative relief as to the following named persons, for claims
 3 against the State or its officers or employees for payments of
 4 judgments or settlements, or other liabilities, in the amount
 5 set forth opposite their names:

6	JUDGMENTS AGAINST THE STATE	AMOUNT
7	AND SETTLEMENTS OF CLAIMS:	
8		
9	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
10		
11	Antonio v. State of Hawaii	\$ 30,000.00
12	Civil No. 06-1-0131-01, First Circuit	Settlement
13		
14	Carvalho v. State of Hawaii	\$ 30,000.00
15	Civil No. 05-1-2155-12, First Circuit	Settlement
16	and	
17	Carvalho v. State of Hawaii	
18	Civil No. 06-00667, USDC	
19		
20	Hoffelt, et al. v. Tesoro, et al.	\$ 150,000.00
21	Civil No. 05-1-0480(3), Second Circuit	Settlement
22		
23	Madriaga, et al. v. Baldwin, et al.	\$ 25,000.00
24	Civil No. 04-1-0327(3), Second Circuit	Settlement
25		
26	Scharsch v. State of Hawaii, et al.	\$ 20,000.00
27	Civil No. 05-1-0435-03, First Circuit	Settlement
28		
29	Schlosser v. Lat, et al.	\$ 40,000.00
30	Civil No. 05-1-0474(3), Second Circuit	Settlement
31	SUBTOTAL:	\$ 295,000.00
32	TOTAL (SECTION 2)	\$ 295,000.00

1 invalid, the invalidity does not effect other provisions or
2 applications of the Act, which can be given effect without the
3 invalid provision or application, and to this end the provisions
4 of this Act are severable.

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

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INTRODUCED BY:

Calvin K. H. Song

BY REQUEST

JAN 22 2008

Report Title:

APPROPRIATIONS; CLAIMS AGAINST STATE.

Description:

Makes appropriations for claims against the State, its officers, and its employees.

JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.

PURPOSE: Provide for the authorization and payment of claims against the State for refunds of taxes, for judgments and settlements, and for other miscellaneous payments as provided by chapters 37, 661, and 662, Hawaii Revised Statutes.

MEANS: Authorize and appropriate funds for the payment of such claims.

JUSTIFICATION: This bill serves as the vehicle by which claims against the State are transmitted to the Legislature for its consideration. The Legislature will be asked to authorize and fund the payment of such claims by an appropriation of general and special funds. Timely passage of this bill will serve to minimize interest on those amounts for which interest is accruing.

Impact on the public: There would be no direct impact on the public other than the persons whose claims are being paid.

Impact on the department and other agencies: Claims eligible for payment from a special fund will generally be charged to that special fund rather than the general fund. Certain claims will be paid from a department's appropriation as reflected in the budget bill. In such case, that department will be responsible for finding the moneys in its budget to pay for the judgments and settlements rendered against it.

GENERAL FUND: \$449,556.86 to date, and additional funds ultimately expected.

OTHER FUNDS: \$295,000.00 from the Department of Transportation state highway fund.

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PPBS PROGRAM
DESIGNATION:

Various

OTHER AFFECTED
AGENCIES:

Department of Transportation, state highway
fund.

EFFECTIVE DATE:

Upon approval.