
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 2008-2009 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	Starr v. State of Hawaii, et al.	\$75,000.00
18	Civil No. 05-00665, USDC	
19		_____
20	SUBTOTAL:	\$75,000.00
21		



1	2.	DEPARTMENT OF EDUCATION:	
2			
3		Hoshijo v. State of Hawaii, et al.	\$35,000.00
4		HCRC No. 12617, EEOC No. 37B-A4-00211	Settlement
5			
6		Wiley, et al. v. State of Hawaii, et al.	\$175,000.00
7		Civil No. 04-1-1895-10, First Circuit	Settlement
8			
9		Tort claim of Dominic Quimbao	\$20,000.00
10			
11			
12		SUBTOTAL:	\$230,000.00
13	3.	DEPARTMENT OF HUMAN SERVICES:	
14		Martinez v. State of Hawaii, et al.	\$35,000.00
15		Civil No. 06-1-1658-09, First Circuit	Settlement
16			
17		Morris v. Kihara, et al.	\$39,617.28
18		Civil No. 06-1-0063, Fifth Circuit	Settlement
19			
20		SUBTOTAL:	\$74,617.28
21			
22	4.	DEPARTMENT OF PUBLIC SAFETY:	
23		Ayala v. State of Hawaii, et al.	\$50,000.00
24		Civil No. 06-1-0142-01, First Circuit	Settlement
25			
26		Becker v. State of Hawaii, et al.	\$50,000.00
27		Civil No. 05-1-1485-08, First Circuit	Settlement
28			
29		Hernandez v. State of Hawaii, et al.	\$22,000.00
30		Civil No. 06-1-1628-09, First Circuit	Settlement
31			
32		Rosa v. State of Hawaii	\$23,685.05
33		Civil No. 07-1-1143-06, First Circuit	Judgment
34		Amount of judgment:	\$22,675.00
35		4% interest from 6/19/08:	\$ 1,010.05
36			
37		SUBTOTAL:	\$145,685.05



1	5.	DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION:	
2		Freitas, et al. v. State of Hawaii	\$60,000.00
3		Civil No. 05-1-0514(1), Second Circuit	Settlement
4			<hr/>
5		SUBTOTAL:	\$60,000.00
6			
7	6.	MISCELLANEOUS CLAIMS:	
8		Ejima, Inc.	\$587.75
9		Gladys Hayashi	\$223.43
10		Kay Y. Kawatani	\$107.40
11		Georgia K. Char Lyman as Personal	\$9,114.42
12		Representative of the Estate of	
13		Keakealani L. Char	
14		Lottie L. Mar	\$22,895.25
15		Elaine Mock	\$353.62
16		Eleanor K. Ohnaga	\$450.00
17			
18		Karen M. Radius	\$1,853.15
19		Paul T. Sakuma	\$271.58
20			<hr/>
21		SUBTOTAL:	\$35,856.60
22		TOTAL (SECTION 1):	\$621,158.93

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



1 PART II

2 SECTION 2. The following sums or so much thereof as may be
3 necessary for fiscal year 2008-2009 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, HIGHWAYS DIVISION:	
13	Parel v. Kanui, et al.	\$25,000.00
14	Civil No. 07-1-0290, Third Circuit	Settlement
15		
16	Lang v. Prosniewski, et al.	\$325,000.00
17	Civil No. 05-1-0389(1), Second Circuit	Settlement
18		
19	Punsalan, et al. v. State of Hawaii, et al.	\$350,000.00
20	Civil No. 05-01-129K, Third Circuit	Settlement
21		
22	Roberson v. State of Hawaii	\$91,000.00
23	Civil No. 06-1-0248(1), Second Circuit	Settlement
24		
25	SUBTOTAL:	\$791,000.00
26	TOTAL (SECTION 2):	\$791,000.00
27		

28 The sums appropriated shall be expended by the department
29 of transportation, highways division, for the purposes of this
30 Act.



1 SECTION 3. The following sums or so much thereof as may be
 2 necessary for fiscal year 2008-2009 are appropriated out of the
 3 state harbor 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 amount
 7 set forth opposite their names:

8 JUDGMENTS AGAINST THE STATE	AMOUNT
9 AND SETTLEMENTS OF CLAIMS:	
10 DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION:	
11 Haole v. State of Hawaii	\$275,000.00
12 Civil No. 03-1-0876-04, First Circuit	Settlement
13	<hr/>
14	
15 SUBTOTAL:	\$275,000.00
16 TOTAL (SECTION 3)	\$275,000.00

17 The sums appropriated shall be expended by the department of
 18 transportation, harbors division, for the purposes of this Act.

19 PART III

20 SECTION 4. The sums hereinabove may be paid to the
 21 respective persons, or for the satisfaction or settlement of the
 22 respectively identified cases, and in several amounts
 23 hereinabove set forth or in lesser amounts deemed appropriate,
 24 upon checks issued by the comptroller; provided departments must

1 obtain the approval of the attorney general before payment of
2 any claim can be made.

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

9 SECTION 6. All unexpended and unencumbered balances of the
10 appropriations made in this Act as of the close of business on
11 June 30, 2010, shall lapse.

12 SECTION 7. If any provision of this Act, or the
13 application thereof to any person or circumstance is held
14 invalid, the invalidity does not affect other provisions or
15 applications of the Act, which can be given effect without the
16 invalid provision or application, and to this end the provisions
17 of this Act are severable.

18 SECTION 8. This Act shall take effect upon its approval.



Report Title:

Appropriations; Claims Against the State

Description:

Makes appropriations for claims against the State, its officers,
and its employees. (HB1016 HD2)

