
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 2009-2010 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 PUBLIC SAFETY:	
16	Botelho, et al. v. State of Hawaii, et al.	\$
17	Civil No. 06-00096 DAE-BMK, USDC	Judgment
18		
19	DeJesus, et al. v. State of Hawaii,	\$
20	et al., Civil No. 06-1-1070-06,	Settlement
21	First Circuit	
22		



1	SUBTOTAL:	\$	
2	2. DEPARTMENT OF LAND AND NATURAL RESOURCES:		
3	Consolidated Cases:		
4	Fehring, et al. v. Pflueger, et al.	\$	
5	Civil No. 06-1-0082, Fifth Circuit		Settlement
6			
7	Midler, et al. v. Pflueger, et al.		
8	Civil No. 06-1-0110, Fifth Circuit		
9			
10	Pflueger, et al. v. State of Hawaii		
11	Civil No. 07-1-0117, Fifth Circuit		
12			
13	Calisher, et al. v. Pflueger, et al.		
14	Civil No. 07-1-0106, Fifth Circuit		
15			
16	Fehring, et al. v. Pflueger, et al.		
17	Civil No. 08-1-0050, Fifth Circuit		
18			
19	Fehring, et al. v. Pflueger, et al.		
20	Civil No. 08-1-0051, Fifth Circuit		
21			
22	Bosma, et al. v. Pflueger, et al.		
23	Civil No. 08-1-0052, Fifth Circuit		
24			
25	Midler, et al. v. Pflueger, et al.		
26	Civil No. 08-1-0053, Fifth Circuit		
27			
28	Roque v. Dickman, et al.	\$	
29	Civil No. 07-1-0497-03, First Circuit		Settlement
30			
31	SUBTOTAL:	\$	
32	3. DEPARTMENT OF HUMAN SERVICES:		
33	Manalo v. Wells, et al.	\$	
34	Civil No. 08-1-2212-10, First Circuit		Judgment
35	Amount of judgment:		
36	4% interest from 10/21/09		
37			



1	Hanson v. State of Hawaii	\$
2	Civil No. 06-1-0794, First Circuit	Settlement
3		<hr/>
4	SUBTOTAL:	\$
5	4. MISCELLANEOUS CLAIMS:	
6	Kathleen M. Gillett	\$
7	June S. Hashizaki	\$
8		<hr/>
9	SUBTOTAL:	\$
10	Total (SECTION 1):	\$

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

13 PART II

14 SECTION 2. The following sums or so much thereof as may be
15 necessary for fiscal year 2009-2010 are appropriated out of the
16 state harbor fund for the purpose of satisfying claims for
17 legislative relief as to the following named persons, for claims
18 against the State or its officers or employees for payments of
19 judgments or settlements, or other liabilities, in the amount
20 set forth opposite their names:



1	JUDGMENTS AGAINST THE STATE	AMOUNT
2	AND SETTLEMENTS OF CLAIMS:	
3		
4	DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION:	
5	Flores v. State of Hawaii	\$
6	Civil No. 03-1-876-04, Fifth Circuit	Judgment
7		<hr/>
8	SUBTOTAL:	\$
9	Total (SECTION 2):	\$

10 The sums appropriated shall be expended by the department
11 of transportation, harbors division, for the purposes of this
12 Act.

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

20 SECTION 4. Notwithstanding the sums hereinabove stated as
21 interest upon judgments against the State, payment of interest
22 shall be limited to the period from the date of judgment, if
23 applicable, to thirty days after the effective date of this Act,



1 as provided in section 662-8, Hawaii Revised Statutes, for those
2 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, 2011, 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, 2050.



Report Title:

Appropriations; Claims Against State

Description:

Makes appropriations for claims against the State, its officers, and its employees. Effective July 1, 2050.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

