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# 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.	\$30,454.33
17	Civil No. 06-00096 DAE-BMK, USDC	Judgment
18		



1	DeJesus, et al. v. State of Hawaii, et al.	\$80,000.00
2	Civil No. 06-1-1070-06, First Circuit	Settlement
3		<hr/>
4	SUBTOTAL:	\$110,454.33
5	2. DEPARTMENT OF LAND AND NATURAL RESOURCES:	
6	Rogue v. Dickman, et al.	\$ 93,850.00
7	Civil No. 07-1-0497-03 First Circuit	Settlement
8		
9	Consolidated Cases:	
10	Fehring, et al. v. Pflueger, et al.	\$1,500,000.00
11	Civil No. 06-1-0082, Fifth Circuit	Settlement
12		
13	Midler, et al. v. Pflueger, et al.	
14	Civil No. 06-1-0110, Fifth Circuit	
15		
16	Pflueger, et al. v. State of Hawaii	
17	Civil No. 07-1-0117, Fifth Circuit	
18		
19	Calisher, et al. v. Pflueger, et al.	
20	Civil No. 07-1-0106, Fifth Circuit	
21		
22	Fehring, et al. v. Pflueger, et al.	
23	Civil No. 08-1-0050, Fifth Circuit	
24		
25	Fehring, et al. v. Pflueger, et al.	
26	Civil No. 08-1-0051, Fifth Circuit	
27		
28	Bosma, et al. v. Pflueger, et al.	
29	Civil No. 08-1-0052, Fifth Circuit	
30		
31	Midler, et al. v. Pflueger, et al.	
32	Civil No. 08-1-0053, Fifth Circuit	
33		<hr/>
34	SUBTOTAL:	\$1,593,850.00
35		



1 3. DEPARTMENT OF HUMAN SERVICES:

2	Manalo v. Wells, et al.	\$	32,478.37
3	Civil No. 08-1-2212-10, First Circuit		Judgment
4	Amount of judgment:	\$31,501.39	
5	4% interest from 10/21/09	976.98	
6	Hanson v. State of Hawaii	\$	30,000.00
7	Civil No. 06-1-0794, First Circuit		Settlement

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9	SUBTOTAL:	\$	62,478.37

10 4. DEPARTMENT OF TRANSPORTATION,

11 HARBORS DIVISION:

12	Flores, et al. v. Department of Transportation,		
13	et al.,	\$23,225.34	
14	Civil No. 07-1-0204, Fifth Circuit		Judgment

15	SUBTOTAL:	\$23,225.34	
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16 5. MISCELLANEOUS CLAIMS:

17	Kathleen M. Gillett	\$	1,379.31
18	June S. Hashizaki	\$	150.00

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20	SUBTOTAL:	\$	1,529.31

21	TOTAL (SECTION 1):	\$1,791,537.35	
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22 The sums appropriated shall be expended by the department  
23 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 2009-2010 are appropriated out of the  
4 state harbor 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, HARBORS DIVISION:	
13	Flores v. State of Hawaii	\$23,225.34
14	Civil No. 03-1-0876-04, Fifth Circuit	Judgment
15		<hr/>
16	SUBTOTAL:	\$23,225.34
17	TOTAL (SECTION 2):	\$23,225.34

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

20 SECTION 3. All unexpended and unencumbered balances of  
21 the appropriations made in this Act as of the close of business  
22 on June 30, 2011, shall lapse.

23 SECTION 4. If any provision of this Act, or the  
24 application thereof to any person or circumstance is held



1 invalid, the invalidity does not affect 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 5. This Act shall take effect upon its approval.



**Report Title:**

Appropriations; Claims Against State

**Description:**

Makes appropriations for claims against the State, its officers, and its employees. (HB2508 HD1)

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

