
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 2010-2011 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 EDUCATION:	
16		
17	Arasato v. State of Hawaii, et al.	\$ 33,518.32
18	Civil No. 07-1-2107-11, First Circuit	Judgment
19		
20	McCauley v. Inouye, et al.	\$ 135,000.00
21	Civil No. 07-01-206K, Third Circuit	Settlement
22		
23		



1	Jemwai v. Keau, et al.	\$ 250,000.00
2	Civil No. 09-1-0095-01, First Circuit	Settlement
3		
4	In the Matter of the Arbitration	\$ 12,298.00
5	Between Hawaii State Teachers Association,	Settlement
6	AFSME Local 152, AFL-CIO and Kihei	
7	Public Charter High School	
8		
9	Carvalho v. State of Hawaii, et al.	\$ 15,000.00
10	Civil No. 10-00348, USDC	Settlement
11		
12		
13		<hr/>
14	SUBTOTAL:	\$ 445,816.32
15		
16	2. HAWAII HEALTH SYSTEMS CORPORATION:	
17		
18	United Public Workers AFSCME, Local 646,	\$ 18,851.12
19	AFL-CIO v. State of Hawaii, et al.	Judgment
20	S.P. No. 09-1-0305, First Circuit	
21		
22		<hr/>
23	SUBTOTAL:	\$ 18,851.12
24		
25	3. DEPARTMENT OF PUBLIC SAFETY:	
26		
27	Tenney v. State of Hawaii , et al.	\$ 149,500.00
28	Civil No. 09-1-0190-01, First Circuit	Settlement
29		
30		<hr/>
31		
32	SUBTOTAL:	\$ 149,500.00
33		
34	4. DEPARTMENT OF HEALTH:	
35		
36	Segundo v. Frederick, et al.	\$ 325,000
37	Civil No. 08-1-0106, Third Circuit Court	Settlement
38		
39		<hr/>
40		
41	SUBTOTAL:	\$ 325,000
42		



1	5.	DEPARTMENT OF HUMAN SERVICES:	
2			
3		Robinson v. Tripler Army	\$ 20,929.57
4		Medical Center et al.	Settlement
5		Civil No. 04-00672, USDC	
6			<hr/>
7			
8		SUBTOTAL:	\$ 20,929.57
9			
10	6.	DEPARTMENT OF LAND AND NATURAL RESOURCES:	
11			
12		Santiago v. County of Kauai, et al.	\$ 18,000
13		Civil No. 08-1-0210, Fifth Circuit	Settlement
14			
15			<hr/>
16			
17		SUBTOTAL:	\$ 18,000
18			
19	7.	MISCELLANEOUS CLAIMS:	
20			
21		Tom Ishigo	\$ 1,852.64
22		Nicole T. Kelley	\$ 394.74
23		Paulette Yoshida	\$ 464.00
24			<hr/>
25			
26		SUBTOTAL:	\$ 2,711.38
27			
28		Total (SECTION 1):	\$

29
30 The sums appropriated shall be expended by the department
31 of the attorney general for the purposes of this Act.

32 PART II

33 SECTION 2. The following sums or so much thereof as may be
34 necessary for fiscal year 2010-2011, are appropriated out of the
35 state highway fund for the purpose of satisfying claims for



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

5	JUDGMENTS AGAINST THE STATE	AMOUNT
6	AND SETTLEMENTS OF CLAIMS:	
7		
8	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
9		
10	Labinia v. State of Hawaii, et al.	\$ 900,000.00
11	Civil No. 07-1-0075-01, First Circuit	Settlement
12		
13	Requelman v. State of Hawaii, et al.	\$ 230,000.00
14	Civil No. 06-1-0366, Third Circuit	Settlement
15		
16		
17	SUBTOTAL:	\$1,130,000.00
18		
19	TOTAL (SECTION 2)	\$1,130,000.00
20		

21 The sums appropriated shall be expended by the department
 22 of transportation, highways division, for the purposes of this
 23 Act.

24 PART III

25 SECTION 3. The sums hereinabove may be paid to the
 26 respective persons, or for the satisfaction or settlement of the
 27 respectively identified cases, and in several amounts
 28 hereinabove set forth or in lesser amounts deemed appropriate,
 29 upon checks issued by the comptroller; provided that the



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

3 SECTION 4. 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 Act,
7 as provided in section 662-8, Hawaii Revised Statutes, for those
8 cases to which the statute applies.

9 SECTION 5. All unexpended and unencumbered balances of the
10 appropriations made in this Act as of the close of business on
11 June 30, 2012, shall lapse.

12 SECTION 6. If any provision of this Act, or the
13 application thereof to any person or circumstance is held
14 invalid, the invalidity does not effect 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 7. This Act shall take effect on July 1, 2030.



Report Title:

Appropriations; Claims Against State

Description:

Makes appropriations for claims against the State, its officers, and its employees. Effective July 1, 2030. (HB1001 HD2)

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

