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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:**

**PART I**

1  
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, for refunds,  
9 reimbursements, payments of judgments or settlements, or for  
10 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		



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.	\$ 325,000.00
37	Civil No. 08-1-0106, Third Circuit	Settlement
38		
39		<hr/>
40		
41	SUBTOTAL:	\$ 325,000.00
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			
7			<hr/>
8		SUBTOTAL:	\$ 20,929.57
9			
10	6.	DEPARTMENT OF LAND AND NATURAL RESOURCES:	
11			
12		Santiago v. County of Kauai, et al.	\$ 18,000.00
13		Civil No. 08-1-0210, Fifth Circuit	Settlement
14			
15			
16			<hr/>
17		SUBTOTAL:	\$ 18,000.00
18			
19	7.	MISCELLANEOUS CLAIMS:	
20			
21		Tom Ishigo	\$ 1,852.64
22			
23		Nicole T. Kelley	\$ 394.74
24			
25		Paulette Yoshida	\$ 464.00
26			
27			<hr/>
28		SUBTOTAL:	\$ 2,711.38
29			
30		Total (SECTION 1):	\$ 980,808.39

31 The sums appropriated shall be expended by the department  
32  
33 of the attorney general for the purposes of this Act.

34 **PART II**

35 SECTION 2. The following sums or so much thereof as may be  
36 necessary for fiscal year 2010-2011 are appropriated out of the  
37 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 Barba v. State of Hawaii, et al.	\$ 35,000.00
17 Civil No. 09-1-0470-02, First Circuit	Settlement
18	
19	
20 SUBTOTAL:	\$1,165,000.00
21	
22 TOTAL (SECTION 2)	\$1,165,000.00
23	

24 The sums appropriated shall be expended by the department  
25 of transportation, highways division, for the purposes of this  
26 Act.

27 **PART III**

28 SECTION 3. The sums hereinabove may be paid to the  
29 respective persons, or for the satisfaction or settlement of the  
30 respectively identified cases, and in several amounts  
31 hereinabove set forth or in lesser amounts deemed appropriate,



1 upon checks issued by the comptroller; provided that the  
2 departments shall obtain the approval of the attorney general  
3 before payment of any claim can be made.

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

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

13 SECTION 6. If any provision of this Act, or the  
14 application thereof to any person or circumstance is held  
15 invalid, the invalidity does not affect other provisions or  
16 applications of the Act, which can be given effect without the  
17 invalid provision or application, and to this end the provisions  
18 of this Act are severable.

19 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. (SD2)

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

