

---

---

# 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		<hr/>
4		
5	SUBTOTAL:	\$ 418,518.32
6		
7	2. HAWAII HEALTH SYSTEMS CORPORATION:	
8		
9	United Public Workers AFSCME, Local 646,	\$ 10,524.01
10	AFL-CIO v. State of Hawaii, et al.	Judgment
11	S.P. No. 09-1-0305, First Circuit	
12		<hr/>
13		
14	SUBTOTAL:	\$ 10,524.01
15		
16	3. DEPARTMENT OF PUBLIC SAFETY:	
17		
18	Tenney v. State of Hawaii , et al.	\$ 149,500.00
19	Civil No. 09-1-0190-01, First Circuit	Settlement
20		
21		<hr/>
22		
23	SUBTOTAL:	\$ 149,500.00
24		
25	4. MISCELLANEOUS CLAIMS:	
26		
27	Tom Ishigo	\$ 1,852.64
28	Nicole T. Kelley	\$ 394.74
29	Paulette Yoshida	\$ 464.00
30		<hr/>
31		
32	SUBTOTAL:	\$ 2,711.38
33		
34	Total (SECTION 1):	\$
35		
36	The sums appropriated shall be expended by the department	
37	of the attorney general for the purposes of this Act.	



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PART II

SECTION 2. The following sums or so much thereof as may be necessary for fiscal year 2010-2011 are appropriated out of the state highway fund for the purpose of satisfying claims for legislative relief as to the following named persons, for claims against the State or its officers or employees for payments of judgments or settlements, or other liabilities, in the amount set forth opposite their names:

<b>JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:</b>	<b>AMOUNT</b>
DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
Labinia v. State of Hawaii, et al. Civil No. 07-1-0075-01, First Circuit	\$ 900,000.00 Settlement
Requelman v. State of Hawaii, et al. Civil No. 06-1-0366, Third Circuit	\$ 230,000.00 Settlement
	<hr/>
SUBTOTAL:	\$1,130,000.00
TOTAL (SECTION 2)	\$1,130,000.00

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

PART III

SECTION 3. The sums hereinabove may be paid to the respective persons, or for the satisfaction or settlement of the

1 respectively identified cases, and in several amounts  
2 hereinabove set forth or in lesser amounts deemed appropriate,  
3 upon checks issued by the comptroller; provided departments  
4 shall obtain the approval of the attorney general before payment  
5 of any claim can be made.

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

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

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

21 SECTION 7. 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. (HB1001 HD1)

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

