
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 2012-2013 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 ACCOUNTING AND GENERAL SERVICES:	
16	Macy-McCrea v. State of Hawaii, et al.	\$ 30,000.00
17	Civil No. 10-1-0466-03, First Circuit	Settlement
18		<hr/>
19		
20	SUBTOTAL:	\$ 30,000.00



1	2.	DEPARTMENT OF THE ATTORNEY GENERAL:	
2		Mitchell v. State of Hawaii	\$ 95,000.00
3		FEPA No. 16448; EEOC No. 486-2011-00251	Settlement
4			<hr/>
5			
6		SUBTOTAL:	\$ 95,000.00
7			
8	3.	DEPARTMENT OF EDUCATION:	
9		Basa v. State of Hawaii	\$ 30,000.00
10		Civil No. 10-1-1374-06, First Circuit	Settlement
11			
12		Lopes v. Department of Education, et al.	\$ 14,000.00
13		Civil No. 10-1-1886-08, First Circuit	Settlement
14			
15		Lum, et al. v. State of Hawaii, et al.	\$ 155,000.00
16		Civil No. 11-1-1498-07, First Circuit	Settlement
17			
18		Manigo-Brown v. State of Hawaii, et al.	\$ 23,396.66
19		Civil No. 11-1-1901-08, First Circuit	Settlement
20			
21		Mark H., et al. v. Hamamoto, et al.	\$3,300,000.00
22		Civil No. 00-00282 LEK-RLP, USDC	Settlement
23			<hr/>
24			
25		SUBTOTAL:	\$3,522,396.66
26			
27	4.	CAMPAIGN SPENDING COMMISSION:	
28		Yamada v. Weaver	\$ 63,852.34
29		Civil No. 10-00497 JMS-RLP, USDC	Judgment
30			<hr/>
31			
32		SUBTOTAL:	\$ 63,852.34
33			
34	5.	DEPARTMENT OF HEALTH:	
35		Vendetti, et al. v. Abercrombie, et al.	\$ 84,000.00
36		Civil No. 10-1-2084-09, First Circuit	Settlement
37			<hr/>
38		SUBTOTAL:	\$ 84,000.00



1	6.	DEPARTMENT OF HUMAN SERVICES:	
2		J.B. and R.C. v. State of Hawaii, et al.	\$ 25,000.00
3		Civil No. 09-1-1157-05, First Circuit	Settlement
4			
5		Lopez, et al. v. Kalama, et al.	\$ 550,000.00
6		Civil No. 09-1-2021-08, First Circuit	Settlement
7		Naki, et al. v. Kalama, et al.	
8		Civil No. 10-1-0616-03, First Circuit	
9			
10			
11		SUBTOTAL:	\$ 575,000.00
12			
13	7.	DEPARTMENT OF PUBLIC SAFETY:	
14		Butler v. Nouchi, et al.	\$ 15,000.00
15		Civil No. 08-00203, USDC	Settlement
16			
17		Naehu v. State of Hawaii, et al.	\$ 38,579.99
18		Civil No. 09-1-2604-11, First Circuit	Judgment
19			
20		SUBTOTAL:	\$ 53,579.99
21			
22	8.	MISCELLANEOUS CLAIMS:	
23		Susan C. Harrison	\$ 1,738.59
24		Debra Matthey	\$ 700.00
25			
26		SUBTOTAL:	\$ 2,438.59
27		Total (SECTION 1):	\$4,426,267.58

28 The sums appropriated shall be expended by the department
29 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
3 be necessary for fiscal year 2012-2013 are appropriated out of
4 the state highway 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, HIGHWAYS DIVISION:	
13	
14 Delouise v. Werner, et al.	\$ 275,000.00
15 Civil No. 07-1-0459(1), Second Circuit	Settlement
16	
17	
18	
19 SUBTOTAL:	\$ 275,000.00
20	
21 TOTAL (SECTION 2)	\$ 275,000.00
22	

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

26 PART III

27 SECTION 3. The following sums or so much thereof as may
28 be necessary for fiscal year 2012-2013 are appropriated out of
29 the state harbor 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, HARBORS DIVISION:	
9	
10 Andrade v. State of Hawaii, et al.	\$ 150,000.00
11 Civil No. 09-1-2959-12, First Circuit	Settlement
12	<hr/>
13	
14 SUBTOTAL:	\$ 150,000.00
15	
16 TOTAL (SECTION 3)	\$ 150,000.00
17	

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

21 PART IV

22 SECTION 4. The sums hereinabove may be paid to the
23 respective persons, or for the satisfaction or settlement of the
24 respectively identified cases, and in several amounts
25 hereinabove set forth or in lesser amounts deemed appropriate,
26 upon checks issued by the comptroller; provided departments
27 shall obtain the approval of the attorney general before payment
28 of any claim can be made.



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

7 SECTION 6. All unexpended and unencumbered balances of the
8 appropriations made in this Act as of the close of business on
9 June 30, 2014, shall lapse.

10 SECTION 7. If any provision of this Act, or the
11 application thereof to any person or circumstance is held
12 invalid, the invalidity does not effect other provisions or
13 applications of the Act, which can be given effect without the
14 invalid provision or application, and to this end the provisions
15 of this Act are severable.

16 SECTION 8. 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. (HB775 HD1)

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

