
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 2013-2014 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	Barnett v. State of Hawaii, et al.	\$ 41,511.54
18	Civil No. 10-1-0236, Fifth Circuit	Judgment
19		



1	In the Matter of the Arbitration	\$	44,951.43
2	Between Hawaii State Teachers Association		Judgment
3	and Na Wai Ola (Waters of Life) Public		
4	Charter School, State of Hawaii,		
5	Grievance of Ginger Krauss		
6			
7			
8	SUBTOTAL:	\$	86,462.97
9			
10	2. DEPARTMENT OF HEALTH		
11			
12	Johnson v. Rainbow Rehabilitation, et al.	\$	221,080.66
13	Civil No. 07-1-1855-10, First Circuit		Judgment
14			
15			
16	SUBTOTAL:	\$	221,080.66
17			
18	3. DEPARTMENT OF HUMAN SERVICES:		
19			
20	Louis, et al. v. State of Hawaii, et al.	\$	180,000.00
21	Civil No. 05-1-0935-05, First Circuit		Settlement
22			
23	Kolio, et al. v. State of Hawaii, et al.	\$	20,000.00
24	Civil No. 11-00266 LEK RLP, USDC		Settlement
25			
26			
27	SUBTOTAL:	\$	200,000.00
28			
29	4. DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS:		
30			
31	Hawaii Pacific Health, et al. v. Dwight	\$	89,645.15
32	Takamine, Civil No. 11-00706 SOM/RLP, USDC		Settlement
33			
34			
35	SUBTOTAL:	\$	89,645.15
36			
37	5. DEPARTMENT OF LAND AND NATURAL RESOURCES:		
38			
39	Coziar v. State of Hawaii	\$	30,000.00
40	Civil No. 13-1-0018(1), Second Circuit		Settlement
41			



1	Imig v. State of Hawaii, et al.	\$	60,000.00
2	Civil No. 13-1-2995-11 (ECN), First Circuit		Settlement
3			<hr/>
4			
5	SUBTOTAL:	\$	90,000.00
6			
7	6. DEPARTMENT OF PUBLIC SAFETY:		
8			
9	Buan v. State of Hawaii, et al.	\$	50,000.00
10	Civil No. 11-1-1222-06, First Circuit		Settlement
11			
12	Fontanilla v. State of Hawaii, et al.	\$	35,000.00
13	Civil No. 12-00641 BMK, USDC		Settlement
14			<hr/>
15			
16	SUBTOTAL:	\$	85,000.00
17			
18	7. MISCELLANEOUS CLAIMS:		
19			
20	Aimee Clay	\$	497.48
21			
22	Thomas K. Nagano	\$	222.96
23			
24	Yoshikatsu Asano	\$	1,939.00
25			
26	Bruce A. Menin	\$	421,346.13
27			
28	Marie-Gertrude N. Leopoldo	\$	417.00
29			<hr/>
30			
31	SUBTOTAL:	\$	424,422.57
32			
33	Total (SECTION 1):	\$	1,196,611.35

34 The sums appropriated shall be expended by the department
35 of the attorney general for the purposes of this Act.

36 **PART II**

37 SECTION 2. The following sums or so much thereof as may be
38 necessary for fiscal year 2013-2014 are appropriated out of the



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

6 JUDGMENTS AGAINST THE STATE	AMOUNT
7 AND SETTLEMENTS OF CLAIMS:	
8	
9 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
10	
11 Adams, et al. v. Yokooji, et al.	\$ 25,000.00
12 Civil No. 07-1-1567, First Circuit	Settlement
13	
14 Booth v. State of Hawaii, et al.	\$ 65,000.00
15 Civil No. 12-1-0262, Fifth Circuit	Settlement
16	
17 Nakandakare, et al. v. State of Hawaii,	\$ 32,500.00
18 et al.	Settlement
19 Civil No. 11-1-1740-08, First Circuit	
20	<hr/>
21	
22 SUBTOTAL:	\$ 122,500.00
23	
24 TOTAL (SECTION 2)	\$ 122,500.00
25	

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

29 PART III

30 SECTION 3. The sums hereinabove may be paid to the
31 respective persons, or for the satisfaction or settlement of the
32 respectively identified cases, and in several amounts



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

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

11 SECTION 5. All unexpended and unencumbered balances of the
12 appropriations made in this Act as of the close of business on
13 June 30, 2015, shall lapse.

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

20 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Claims Against the State; Appropriations

Description:

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

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

