
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 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. ALOHA TOWER DEVELOPMENT CORPORATION	
16		
17	In the Matter of the Application	\$ 165,929.42
18	of Honolulu Construction and	Judgment
19	Draying Company, Limited v. State of Hawaii,	
20	et al., Land Court Application No. 787,	
21	Hawaii Supreme Court No. SCWC-30484	
22		



1	SUBTOTAL:	\$	165,929.42
2			
3	2. DEPARTMENT OF EDUCATION:		
4			
5	Barnett v. State of Hawaii, et al.	\$	41,511.54
6	Civil No. 10-1-0236, Fifth Circuit		Judgment
7			
8	Garner, et al. v. State of Hawaii, et al.	\$	132,819.00
9	Civil No. 03-1-000305, First Circuit		Settlement
10			
11	In the Matter of the Arbitration	\$	44,951.43
12	Between Hawaii State Teachers Association		Judgment
13	and Na Wai Ola (Waters of Life) Public		
14	Charter School, State of Hawaii,		
15	Grievance of Ginger Krauss		
16			
17	Javier, et al. v. State of Hawaii, et al.	\$	124,169.60
18	Civil No. 07-1-0160(1), Second Circuit		Settlement
19			
20			
21	SUBTOTAL:	\$	343,451.57
22			
23	3. DEPARTMENT OF HEALTH		
24			
25	Johnson v. Rainbow Rehabilitation, et al.	\$	221,080.66
26	Civil No. 07-1-1855-10, First Circuit		Judgment
27			
28			
29	SUBTOTAL:	\$	221,080.66
30			
31	4. DEPARTMENT OF HUMAN SERVICES:		
32			
33	Louis, et al. v. State of Hawaii, et al.	\$	180,000.00
34	Civil No. 05-1-0935-05, First Circuit		Settlement
35			
36	Kolio, et al. v. State of Hawaii, et al.	\$	20,000.00
37	Civil No. 11-00266 LEK RLP, USDC		Settlement
38			
39			
40	SUBTOTAL:	\$	200,000.00



1	5.	DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS:		
2				
3		Hawaii Pacific Health, et al. v. Dwight	\$	89,645.15
4		Takamine, Civil No. 11-00706 SOM/RLP, USDC		Settlement
5				
6				
7		SUBTOTAL:	\$	89,645.15
8				
9	6.	DEPARTMENT OF LAND AND NATURAL RESOURCES:		
10				
11		Coziar v. State of Hawaii	\$	30,000.00
12		Civil No. 13-1-0018(1), Second Circuit		Settlement
13				
14		Imig v. State of Hawaii, et al.	\$	60,000.00
15		Civil No. 13-1-2995-11 (ECN), First Circuit		Settlement
16				
17				
18		SUBTOTAL:	\$	90,000.00
19				
20	7.	DEPARTMENT OF PUBLIC SAFETY:		
21				
22		Buan v. State of Hawaii, et al.	\$	50,000.00
23		Civil No. 11-1-1222-06, First Circuit		Settlement
24				
25		Fontanilla v. State of Hawaii, et al.	\$	35,000.00
26		Civil No. 12-00641 BMK, USDC		Settlement
27				
28				
29		SUBTOTAL:	\$	85,000.00
30				
31	8.	OFFICE OF THE GOVERNOR:		
32				
33		Oahu Publications, Inc., dba Honolulu	\$	70,272.66
34		Star-Advertiser v. Abercrombie,		Judgment
35		Civil No. 11-1-1871-08 KKS, First Circuit		
36				
37				
38		SUBTOTAL:	\$	70,272.66
39				
40	9.	MISCELLANEOUS CLAIMS:		
41				
42		Aimee Clay	\$	497.48



1	Thomas K. Nagano	\$	222.96
2			
3	Yoshikatsu Asano	\$	1,939.00
4			
5	Bruce A. Menin	\$	421,346.13
6			
7	Marie-Gertrude N. Leopoldo	\$	417.00
8			
9			
10	SUBTOTAL:	\$	424,422.57
11			
12	Total (SECTION 1):	\$	1,689,802.03

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

15 PART II

16 SECTION 2. The following sums or so much thereof as may be
17 necessary for fiscal year 2013-2014 are appropriated out of the
18 state highway fund for the purpose of satisfying claims for
19 legislative relief as to the following named persons, for claims
20 against the State or its officers or employees for payments of
21 judgments or settlements, or other liabilities, in the amount
22 set forth opposite their names:

23	JUDGMENTS AGAINST THE STATE		AMOUNT
24	AND SETTLEMENTS OF CLAIMS:		
25			
26	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:		
27			
28	Adams, et al. v. Yokooji, et al.	\$	25,000.00
29	Civil No. 07-1-1567, First Circuit		Settlement
30			
31	Booth v. State of Hawaii, et al.	\$	65,000.00
32	Civil No. 12-1-0262, Fifth Circuit		Settlement



1	Nakandakare, et al. v. State of Hawaii,	\$	32,500.00
2	et al.		Settlement
3	Civil No. 11-1-1740-08, First Circuit		
4			
5	Shaya, et al. v. Franco, et al.	\$	700,000.00
6	Civil No. 11-1-0551, Second Circuit		Settlement
7			
8			
9	SUBTOTAL:	\$	822,500.00
10			
11	TOTAL (SECTION 2):	\$	822,500.00
12			

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

16 PART III

17 SECTION 3. The sums hereinabove may be paid to the
18 respective persons, or for the satisfaction or settlement of the
19 respectively identified cases, and in several amounts
20 hereinabove set forth or in lesser amounts deemed appropriate,
21 upon checks issued by the comptroller; provided departments
22 shall obtain the approval of the attorney general before payment
23 of any claim can be made.

24 SECTION 4. Notwithstanding the sums hereinabove stated as
25 interest upon judgments against the State, payment of interest
26 shall be limited to the period from the date of judgment, if
27 applicable, to thirty days after the effective date of this Act,



1 as provided in section 662-8, Hawaii Revised Statutes, for those
2 cases to which the statute applies.

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

6 SECTION 6. If any provision of this Act, or the
7 application thereof to any person or circumstance is held
8 invalid, the invalidity does not affect other provisions or
9 applications of the Act, which can be given effect without the
10 invalid provision or application, and to this end the provisions
11 of this Act are severable.

12 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. (SB2246 HD2)

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

