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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 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 LABOR AND INDUSTRIAL RELATIONS: |    |            |
| 16 |  |    |            |
| 17 | Hawaii Pacific Health, et al. v. Dwight          | \$ | 89,645.15  |
| 18 | Takamine, Civil No. 11-00706 SOM/RLP, USDC       |    | Settlement |
| 19 |  |    |            |
| 20 |  |    |            |
| 21 | SUBTOTAL:  | \$ | 89,645.15  |
| 22 |  |    |            |



|    |    |   |               |
|----|----|---|---------------|
| 1  | 2. | DEPARTMENT OF LAND AND NATURAL RESOURCES: |               |
| 2  |    |   |               |
| 3  |    | Coziar v. State of Hawaii                 | \$ 30,000.00  |
| 4  |    | Civil No. 13-1-0018(1), Second Circuit    | Settlement    |
| 5  |    |   | <hr/>         |
| 6  |    |   |               |
| 7  |    | SUBTOTAL:                                 | \$ 30,000.00  |
| 8  |    |   |               |
| 9  | 3. | DEPARTMENT OF PUBLIC SAFETY:              |               |
| 10 |    |   |               |
| 11 |    | Buan v. State of Hawaii, et al.           | \$ 50,000.00  |
| 12 |    | Civil No. 11-1-1222-06, First Circuit     | Settlement    |
| 13 |    |   | <hr/>         |
| 14 |    |   |               |
| 15 |    | SUBTOTAL:                                 | \$ 50,000.00  |
| 16 |    |   |               |
| 17 | 4. | MISCELLANEOUS CLAIMS:                     |               |
| 18 |    |   |               |
| 19 |    | Aimee Clay                                | \$ 497.48     |
| 20 |    |   |               |
| 21 |    | Thomas K. Nagano                          | \$ 222.96     |
| 22 |    |   |               |
| 23 |    | Yoshikatsu Asano                          | \$ 1,939.00   |
| 24 |    |   |               |
| 25 |    | Bruce A. Menin                            | \$ 421,346.13 |
| 26 |    |   | <hr/>         |
| 27 |    |   |               |
| 28 |    | SUBTOTAL:                                 | \$ 424,005.57 |
| 29 |    |   |               |
| 30 |    | Total (SECTION 1):                        | \$ 593,650.72 |

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

33 **PART II**

34 SECTION 2. The following sums or so much thereof as may be  
35 necessary for fiscal year 2013-2014 are appropriated out of the  
36 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 <b>JUDGMENTS AGAINST THE STATE</b>               | 6 <b>AMOUNT</b> |
|--|-----------------|
| 7 <b>AND SETTLEMENTS OF CLAIMS:</b>                |                 |
| 8 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION: |                 |
| 9  |                 |
| 10 Adams, et al. v. Yokooji, et al.                | \$ 25,000.00    |
| 11 Civil No. 07-1-1567, First Circuit              | Settlement      |
| 12   |                 |
| 13 Booth v. State of Hawaii, et al.                | \$ 65,000.00    |
| 14 Civil No. 12-1-0262, Fifth Circuit              | Settlement      |
| 15   | <hr/>           |
| 16   |                 |
| 17 SUBTOTAL:                                       | \$ 90,000.00    |
| 18   |                 |
| 19 TOTAL (SECTION 2)                               | \$ 90,000.00    |
| 20   |                 |

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

24 **PART III**

25 SECTION 3. The sums hereinabove may be paid to the  
 26 respective persons, or for the satisfaction or settlement of the  
 27 respectively identified cases, and in several amounts  
 28 hereinabove set forth or in lesser amounts deemed appropriate,  
 29 upon checks issued by the comptroller; provided departments



1 shall obtain the approval of the attorney general before payment  
2 of any claim can be made.

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

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

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

18 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. (SD1)

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

