

ACT 161

H.B. NO. 2155-82

A Bill for an Act Relating to the Relief of Certain Persons' Claims Against the State and Providing Appropriations Therefor.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The following sums of money are appropriated out of the general revenues of the State of Hawaii for the purpose of satisfying claims for legislative relief as to the following named persons, firms, corporations, and others for overpayment of taxes or on account of other claims for refunds, reimbursements, or other payments, against the State in the amount set opposite their names:

Section 37-77, Hawaii Revised Statutes.

	Division	Amount
REFUND OF TAXES:		
Tanaka, Yoshino and Annette R. (Real Property)	First	\$ 699.12
Kamau, Samuel H. (Real Property)	Third	82.63
Cobb-Adams, Geraldine (Real Property)	First	388.95
Zimring, Maurice and Molly (Real Property)	Third	1,475.76

Warrant No.                      Amount

OUTLAWED WARRANTS:

Kaaihue, Jr.	S-191311	\$	8.78
Kaaihue, Lorraine	P-330416		30.61

JUDGMENTS AGAINST THE STATE AND SETTLEMENT OF CLAIMS:

Amount

Kimoto, Raymond A. Civil No. 4131, Third Circuit Date of Judgment: 9/30/81 Amount of Judgment: 4% interest:	\$ 30,962.87 1,036.64	31,999.51
Watada, Robert Y. and Carolyn M. Civil No. 57878, First Circuit Date of Judgment: 8/6/81 Amount of Judgment: 4% interest:	8,000.00 315.92	8,315.92
Campbell, Rex and Faye Supreme Court No. 6630 Date of Judgment: 8/26/81 Amount of Judgment: 4% interest:	2,197.35 80.16	2,277.51
Smith, Robert C., individually and as Personal Representative of the Estate of Stephen Jeffrey Smith, Deceased and Leslie E. Smith Civil No. 4266, Second Circuit Date of Judgment: 11/4/81 Amount of Judgment: 4% interest:	100,000.00 2,959.00	102,959.00
Kawaguchi, Isamu and Lynn Miyoko Civil No. 2576, Fifth Circuit Date of Judgment: 12/15/81 Amount of Judgment: 4% interest:	47,500.00 1,192.44	48,692.44
Webb, Gertrude Civil No. 6449, Third Circuit Date of Judgment: 12/17/81 Amount of Judgment: 4% interest:	3,500.00 88.14	3,588.14
Hawaiian Airlines, Inc. Civil No. 62257, First Circuit Date of Judgment: 1/11/82		

Amount of Judgment:	\$ 74,035.02	
10% interest:	4,077.00	\$ 78,112.02
Aloha Airlines, Inc.		
Civil No. 63863, First Circuit		
Date of Judgment: 2/3/82		
Amount of Judgment:	153,216.01	
10% interest:	7,889.58	161,105.59
Guillermo, Jo Ann, a minor by		
her natural guardian, Paul Guillermo		
Civil No. 58936, First Circuit		
Date of Dismissal: 3/2/82		
Amount of Settlement:	12,500.00	
4% interest:	206.68	12,706.68
Nettere, Eric		
Civil No. 4628, Second Circuit		
Date of Dismissal: 3/4/82		
Amount of Settlement:	50,000.00	
4% interest:	1,589.50	51,589.50
Wilcox, Arleen, aka Jacobson, Arleen		
and Wilcox, Sherill		
Civil No. 59378, First Circuit		
Date of Judgment: 3/17/82		
Amount of Judgment	17,500.00	
4% interest:	260.61	17,760.61
Thomas, Dolores and Thomas, Ernest		
Supreme Court No. 8600		
Date of Judgment: 11/10/81		
Amount of Judgment:	110,000.00	
4% interest:	3,288.00	113,288.29
Hoopai, Bernard, a minor by		
Leina Hoopai, his Guardian Ad Litem		
Supreme Court No. 8507		
Date of Judgment: 6/30/81		
Amount of Judgment	50,000.00	
4% interest:	2,168.10	52,168.10
DeMello, Rose M.		
Civil No. 59470, First Circuit		
Date of Judgment: 4/1/82		
Amount of Judgment:	8,500.00	
4% interest:	112.62	8,612.62

MISCELLANEOUS CLAIMS:

Amount

Carter, Bette S.

Reimbursement for damage to personal property in restraining

two boys from fighting at Kawananakoa Intermediate School, 9/15/80	\$50.00
Gabriel, Lavern P. Reimbursement for destruction of car radio antenna by resident at Waimano Training School and Hospital, 8/26/80	24.86
Wunsch, Anthony Reimbursement for repair of personal camera damaged during performance of duty at Waimano Training School and Hospital, 5/15/81	78.00

SECTION 2. The sums hereinabove appropriated shall be paid to the respective persons and in the several amounts hereinabove set out upon warrants issued by the comptroller of the State: (1) upon vouchers approved by the director of taxation as to claims for overpayment of taxes and (2) upon vouchers approved by the attorney general as to all other claims.

SECTION 3. Notwithstanding the sums hereinabove appropriated as interest upon judgments against the State and settlements of claims, payment of interest, at the rate of four per cent a year, shall be limited to the period from the date of judgment or court approval of the settlement to the effective date of this Act, as provided in section 662-8, Hawaii Revised Statutes, and all unexpended balances thereof after payment shall lapse into the general fund of the State as of the close of business on June 30, 1983.

SECTION 4. If any portion of this Act or its application to any circumstances or person is held invalid for any reason, the remainder thereof shall not be affected thereby.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 1, 1982.)