

ACT 106

H.B. NO. 1119

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:

	<b>Division</b>	<b>Amount</b>
<b>REFUND OF TAXES:</b>		
Arinaga, Esther K. (Real Property)	First	\$ 734.40
Fukuda, Shiro (Real Property)	First	233.75

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Fernandez, Rosita G. aka Galanto, Rose C. (Real Property)	First	774.17
Sakamoto, Mitsuru (Real Property)	First	\$ 551.64
Tamaru, Shizuo (Real Property)	First	367.20
Thompson, John Scott and wife Marion (Real Property)	First	3,983.77

**JUDGMENTS AGAINST THE STATE AND SETTLEMENT CLAIMS:**

		<b>Amount</b>
Lewis, Mary Lee Civil No. 2123, Fifth Circuit Date of Judgment: 6/8/82 Amount of Judgment:	\$28,555.50	
4% interest:	1,211.07	\$29,766.57
King, Irvin Civil No. 57796, First Circuit Date of Judgment: 3/8/82 Amount of Judgment:	\$ 7,150.00	
4% interest:	353.33	\$ 7,503.33
Sotomura, Joseph Yuki and Grace Fumiye Civil No. 75-0067, U.S.D.C. Date of Judgment: 5/5/80 Amount of Judgment:	\$27,723.25	
8% interest:	6,993.85	\$34,717.10
Sotomura, Joseph Yuki and Grace Fumiye Civil Nos. 80-4488 and 80-4498 Ninth Circuit Court of Appeals Date of Judgment: 6/7/82 Amount of Judgment:	\$25,158.86	
10% interest:	2,674.42	\$27,833.28
Nordeck, Anne H. Civil No. 55394, First Circuit Date of Judgment: 2/1/80 Amount of Judgment:	\$33,789.37	
4% interest:	4,610.17	\$38,399.54

Waiialua Sugar Company, Inc. Civil No. 72961, First Circuit Date of Judgment: 9/30/82 Amount of Judgment:	\$ 6,500.00	
4% interest:	194.47	\$ 6,694.47
Hotchkiss, John W. and Jacqueline Barber Civil No. 2442, Fifth Circuit Date of Judgment: 2/17/83 Amount of Judgment:	\$ 5,000.00	
4% interest:	89.86	\$ 5,089.86
Travis, et al. v. Jean King, etc., et al. Civil No. 81-0433, U.S. District Court Date of Judgment: 11/1/82 Amount of Judgment:	\$ 7,299.10	
10% interest:	543.93	\$ 7,843.03
Kramer, Jerry Dixon and Irene Toshiko Maruya Civil No. 6395, Third Circuit Date of Stipulation for Dismissal: 3/11/83 Amount of Settlement:		\$10,000.00

MISCELLANEOUS CLAIMS:

	<b>Amount</b>
Fukumoto Keith M. Reimbursement for missing Sanyo Stereo Radio/Cassette Recorder Model M-X720 (Rationale: Personal property but used in teaching to benefit of State)	\$ 288.08
Estate of Chun Wah Kwock, deceased. Reissuance of outlawed warrant, S.E. 12658-2	\$ 28.93
Valerie T. Manner Reissuance of State of Hawaii Payroll Clearance Fund Escheated Warrant No. P. 144505, dated November 15, 1967, for salary as Special Education Teacher at Waimano Training School and Hospital. (Warrant was issued in claimant's former name Tamaye T. Manner.)	\$ 110.42

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**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 stated above, 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, 1984.

**SECTION 4.** If any portion of this Act or its application to any circumstance 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 May 24, 1983.)