

ACT 114

H.B. NO. 3344

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 entities, for claims against the State or its officers or employees for overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other liabilities, in the amount set forth opposite their names:

REFUND OF TAXES:

Amount

No cases

JUDGMENTS AGAINST THE STATE
AND SETTLEMENTS OF CLAIMS:

Amount

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| Alcosiba v. Hawaii Community Correctional Center, et al. Civ. No. 91-2590-08, First Circuit | \$ 15,000.00 Settlement |
| Lonnie Baker v. SOH, et al. Civ. No. 92-2644-07, First Circuit | \$ 68,714.00 Settlement |
| Qun Bi v. Research Corporation of the University of Hawaii Civ. No. 93-0097-01, First Circuit | \$ 33,500.00 Settlement |
| Kimberly Brodbeck v. Louis Ron MacPhee, et al. Civ. No. 93-294K, Third Circuit | \$ 50,000.00 Settlement |
| Ching v. Kotis, et al. Civ. No. 93-2105-05, First Circuit | \$ 35,000.00 Settlement |
| Linda Cochran v. State of Hawaii, et al. Civ. No. 95-0268(1), Second Circuit Court | \$ 24,706.65 Judgment |
| Julia Coelho, et al. v. State of Hawaii, et al. Civ. No. 94-0841-03, First Circuit | \$ 160,000.00 Settlement |
| Elizabeth Collins v. DOE, et al. Civ. No. 93-4884-12, First Circuit Court | \$ 40,000.00 Settlement |
| John Curtis v. State of Hawaii, et al. Civ. No. 94-2986-08, First Circuit | \$ 30,000.00 Settlement |
| Edoki Hui 2, et al. v. State of Hawaii Civ. No. 93-0986-03, First Circuit | \$3,750,000.00 Settlement |
| Ferrera v. Dillingham Construction, et al. Civ. No. 93-2297-06, First Circuit Court | \$ 30,000.00 Settlement |
| Fuji Photo Films Hawaii, Inc. Case No. 3009, Tax Appeal Court | \$ 38,277.11 Judgment |
| John Gavelek v. Louis MacPhee, et al. Civ. No. 93-264K, Third Circuit | \$ 50,000.00 Settlement |
| Claim of Thomas Ginn | \$ 75,000.00 |
| Michelle Gretzinger v. University of Hawaii Civ. No. 94-00684ACK, USDC | \$ 175,000.00 Settlement |
| The Aged Hawaiians v. Hawaiian Homes Commission et al., Civ. No. 89-244, Third Circuit | \$ 68,360.32 Judgment |
| Hirano v. Smythe Civ. No. 93-623, USDC | \$ 20,341.00 Settlement |
| Pegge Keawe, et al. v. Kainoa Sharp, et al. Civ. No. 94-576, Third Circuit Court | \$ 50,000.00 Settlement |

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| Lopes v. Rogers, et al. Civ. No. 95-00200-DAE, USDC | \$ 47,500.00 Settlement |
| Lopes v. Rogers, et al. Civ. No. 93-0060-01, First Circuit | \$ 50,000.00 Settlement |
| Pepe Malepeai v. State of Hawaii, et al. Civ. No. 91-2876-08, First Circuit | \$ 875,000.00 Settlement |
| Anna-Leigh Marlowe v. State of Hawaii Civ. No. 92-179K, Third Circuit | \$ 950,000.00 Settlement |
| Robert Martin v. Carmelo Santiago-Lopez, et al. Civ. No. 95-00613HG, USDC | \$ 18,000.00 Settlement |
| Brandy McKeague v. State of Hawaii Civ. No. 94-672, USDC | \$ 15,000.00 Settlement |
| Dianna Niles v. State of Hawaii Civ. No. 94-1413-04 | \$ 25,000.00 Settlement |
| Pieper v. City and County of Honolulu, et al. Civ. No. 94-4623-12, First Circuit | \$ 15,000.00 Settlement |
| Julie Ramos v. State of Hawaii, et al. Civ. No. 93-3667-09, First Circuit | \$ 175,000.00 Settlement |
| Matthew Recopuerto v. County of Maui, et al. Civ. No. 93-0943(1), Second Circuit | \$ 15,000.00 Settlement |
| James Roe v. William Oku, et al. Civ. No. 90-257-08, First Circuit Court | \$ 14,000.00 Settlement |
| Schileo v. State of Hawaii, et al. Civ. No. 93-1939-05, First Circuit | \$ 16,000.00 Settlement |
| State of Hawaii v. W.H. McVay, et al. Civ. No. 91-4097-12, First Circuit | \$ 500,000.00 Settlement |
| James Stuart v. State of Hawaii Civ. No. 93-3746-09, First Circuit | \$ 20,000.00 Settlement |
| Tagi Peato v. SOH Civ. No. 94-3516-09 | \$ 43,097.70 Judgment |
| Takehara v. State of Hawaii, et al. Civ. No. 94-0753-02, First Circuit | \$ 66,320.48 Settlement |
| Edward Tamura, et al. v. Calvin Sylva, et al. Civ. No. 93-0843(3), Second Circuit | \$ 25,000.00 Settlement |
| Linda A. Wheeler v. Department of Education EEOC Charge No. 378-95-0111 | \$ 25,000.00 Settlement |
| MISCELLANEOUS CLAIMS: | Amount |
| Dr. Rosario Fajardo | \$ 198.23 |
| Helen H. Ikeno | \$ 323.87 |
| Abraham Piianaia | \$ 516.56 |
| Michael Ryan | \$ 1,593.60 |
| Paul Zeigler and/or Janet Zeigler | \$ 1,166.00 |

SECTION 2. The sums hereinabove appropriated may be paid to the respective persons, or for the satisfaction or settlement of the respectively identified cases, and in the several amounts hereinabove set forth upon warrants or checks issued by the comptroller of the State: (1) upon vouchers approved by the director of taxation as to claims for refunds 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, payment of interest shall be limited to the period from the date of judgment, if applicable, to thirty days after the effective date of this Act, as provided in section 662-8, Hawaii Revised Statutes, for those cases to which that statute applies.

SECTION 4. All unexpended and unencumbered balances of the appropriations made by section 1 of this Act as of the close of business on June 30, 1997, shall lapse into the general fund of the State.

SECTION 5. If any provision of this Act, or the application thereof to any person or entity or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 6. This Act shall take effect upon its approval.

(Approved June 12, 1996.)