

ACT 152

S.B. NO. 1622-78

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 names of persons, firms, and corporations

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.

REFUND OF TAXES:

	Division	Amount
Smith, Will B. and Margaret K. (Real Property)	Third	\$ 49.06
Noah, Elizabeth K. (Real Property)	Third	141.09
You, Joseph C. D. (Real Property)	Third	48.72
Ama-Pro Sporting Goods of Hawaii, Inc.	Third	777.50
Dobson, George (Real Property)	First	265.84
Kaniaupio, Louise L.	First	244.95

Chapter 662, Hawaii Revised Statutes

JUDGMENTS AGAINST THE STATE AND SETTLEMENT OF CLAIMS:

Miyashiro, Walter T.

Civil No. 48236, First Circuit

Date of Judgment: April 14, 1977

Amount of Judgment: \$ 8,000.00

4% Interest: 414.68 \$ 8,414.68

Simpson, Sakae, individually and as Executrix  
of Estate of William Simpson and Wyatt Wood

Civil No. 43524, First Circuit

Date of Judgment: April 18, 1977

Amount of Judgment: 4,000.00

4% Interest: 205.59 4,205.59

Jorgenson, Phillip Lyman and Judith Josephine

Civil No. 43118, First Circuit

Date of Judgment: April 21, 1977

Amount of Judgment: 7,500.00

4% Interest: 383.01 7,883.01

Van Ness, James C. and Van Ness, Richard E.

Civil No. 44740, First Circuit

Date of Judgment: April 26, 1977

Amount of Judgment: 2,000.00

4% Interest: 101.04 2,101.04

Bell, Marvel E.

Civil No. 44018, First Circuit

Date of Judgment: May 11, 1977

Amount of Judgment: 3,000.00

4% Interest: 146.63 3,146.63

Ventura, Franklin, individually and as Guardian Prochein Ami for Rodney Ventura, a minor Civil No. 1738, Fifth Circuit Date of Judgment: May 17, 1977		
Amount of Judgment:	5,000.00	
4% Interest:	241.10	5,241.10
Ramos, Andrew Galesa, by his next friend, John Ramos, and John Ramos and Emilia Ramos Civil No. 45441, First Circuit Date of Judgment: May 20, 1977		
Amount of Judgment:	23,000.00	
4% Interest:	1,101.48	24,101.48
Espindola, William Civil No. 46427, First Circuit Date of Judgment: July 1, 1977		
Amount of Judgment:	500.00	
4% Interest:	21.64	521.64
Blankenship, William, et al. Civil No. 38455, First Circuit Date of Judgment: July 8, 1977		
Amount of Judgment:	7,500.00	
4% Interest:	318.90	7,818.90
Clevinger, David W., a minor, by his next friend, Jacques Clevinger and individually, Jacques Clevinger and Grace M. Clevinger Civil No. 43365, First Circuit Date of Judgment: July 21, 1977		
Amount of Judgment:	1,238.72	
4% Interest:	50.91	1,289.63
Takamoto, Jerald N. and Barbara Civil No. 39124, First Circuit Date of Judgment: August 4, 1977		
Amount of Judgment:	5,000.00	
4% Interest:	197.81	5,197.81
Kiessling, Charlotte Civil No. 48044, First Circuit Date of Judgment: October 17, 1977		
Amount of Judgment:	16,000.00	
4% Interest:	503.23	16,503.23
Bachiller, Thomas, Jr., et al. Civil No. 44845, First Circuit Date of Settlement: August 16, 1977		
Amount of Settlement:	35,000.00	
4% Interest:	1,338.63	36,338.63

Lossner, Richard W., Celia J. and William R.			
Civil No. 1603, Fifth Circuit			
Date of Settlement: November 28, 1977			
Amount of Settlement:	850.00		
4% Interest:	22.82	872.82	
Mariano, Chris, next of friend of Christina C.			
Mariano, a minor			
Civil No. 46239, First Circuit			
Date of Judgment: October 3, 1977			
Amount of Judgment:	12,500.00		
4% Interest:	412.33	12,912.33	
Marlang, Francisco, a minor, by his Prochein			
Ami, Emilio Marlang and Elena Marlang, and			
Emilio Marlang and Elena Marlang, individually			
Civil No. 46615, First Circuit			
Date of Judgment: October 5, 1977			
Amount of Judgment:	1,887.30		
4% Interest:	61.84	1,949.14	
Poulin, Steven			
Civil No. 46611, First Circuit			
Date of Judgment: December 7, 1977			
Amount of Judgment:	318,000.00		
4% Interest:	8,224.44	326,224.44	
Caday, Dionisia and Silverio			
Civil No. 40392, First Circuit			
Date of Judgment: November 28, 1977			
Amount of Judgment:	5,750.00		
4% Interest:	154.38	5,904.38	
Nagasawa, Gary and Elizabeth			
Civil No. 3792, Third Circuit			
Date of Judgment: December 20, 1977			
Amount of Judgment:	1,000.00		
4% Interest:	24.44	1,024.44	
Smith, C. Stanard			
Civil No. 49055, First Circuit			
Date of Judgment: November 9, 1977			
Amount of Judgment:	28,500.00		
4% Interest:	824.55	29,324.55	
Nishi, Violet Michie, Sharon Eiko and Robert Shigeo			
Civil No. 46957, First Circuit			
Date of Settlement: September 28, 1977			
Amount of Settlement:	1,000.00		
4% Interest:	33.53	1,033.53	

Thouas, Thomas and Daisy		
Civil No. 3724, Third Circuit		
Date of Settlement: January 6, 1978		
Amount of Settlement:	104,666.67	
4% Interest:	2,362.89	107,029.56
Alston, Paul		
Betts v. Reliable Collection Agency		
Civil No. 76-0123, U.S. District Court		
Date of Judgment: August 31, 1977		
Payment of Attorney's Fees		6,777.50
Legal Aid Society of Hawaii		
Hanako Dennis v. Chang		
Civil No. 75-0115, U.S. District Court		
Date of Judgment: June 17, 1977		
Payment of Attorney's Fees		3,196.41
Jensen, Frederick D.		
Civil No. 52447, First Circuit		
Date of Judgment: January 23, 1978		
Amount of Judgment:	5,000.00	
4% Interest:	103.56	5,103.56
Ho, Berdinius, et al.		
Civil No. 49889, First Circuit		
Date of Judgment: January 31, 1978		
Amount of Judgment:	4,000.00	
4% Interest:	79.34	4,079.34
Chai, Eileen, as next friend of Natalie Chai, a minor		
Civil No. 48420, First Circuit		
Date of Judgment: October 3, 1977		
Amount of Judgment:	5,124.76	
4% Interest:	168.49	5,293.25
United States of America		
Civil No. 75-3803, U.S. District Court		
for the District of Hawaii		
Date of Judgment: November 6, 1975		
Amount of Judgment:	22,208.00	
6% Interest:	4,829.78	
Duplicating Costs:	47.70	27,085.48
Hawaiian Bitumuls and Paving Co., Ltd.		
Civil No. 53017, First Circuit		
Date of Judgment: January 26, 1978		
Amount of Judgment:	5,000.00	
4% Interest:	101.92	5,101.92

Estate of Rudolph Steiner		
Civil No. 2737, Second Circuit		
Date of Judgment: February 1, 1978		
Amount of Judgment:	30,000.00	
4% Interest:	591.78	30,591.78
Souza, Francine		
Civil No. 49185, First Circuit		
Date of Judgment: February 28, 1978		
Amount of Judgment:	2,500.00	
4% Interest:	41.92	2,541.92
Bajo, Buenaventura, et al.		
Civil No. 48051, First Circuit		
Date of Settlement: February 7, 1978		
Amount of Settlement:	7,500.00	
4% Interest:	143.01	7,643.01
Neves, Clarence F.		
Civil No. 49693, First Circuit		
Date of Settlement: February 16, 1978		
Amount of Settlement:	20,000.00	
4% Interest:	361.64	20,361.64
Estate of Charles E. Manning, et al.		
Civil No. 3996, Third Circuit		
Date of Judgment: March 3, 1978		
Amount of Judgment:	22,500.00	
4% Interest:	369.86	22,869.86
Steward, Dean M., et al.		
Civil No. 47658, First Circuit		
Date of Judgment: February 27, 1978		
Amount of Judgment:	6,000.00	
4% Interest:	101.26	6,101.26
Reinecke, John E. and Aiko T.		
Civil No. 53162, First Circuit		
Date of Judgment: March 15, 1978		
Amount of Judgment:	250,000.00	
4% Interest:	3,780.82	253,780.82
Ah Quin, Ruby K.		
Civil No. 49731, First Circuit		
Date of Settlement: March 7, 1978		
Amount of Settlement:	3,000.00	
4% Interest:	48.00	3,048.00

Disher, Henry M.		
Civil No. 2780, Third Circuit		
Date of Judgment: March 28, 1978		
Amount of Judgment:	6,500.00	
4% Interest:	89.04	6,589.04

Union Building Materials Corp. and Camilla Casey		
Civil No. 51232, First Circuit		
Date of Judgment: March 23, 1978		
Amount of Judgment:	4,500.00	
4% Interest:	64.11	4,564.11

Section 37-77, Hawaii Revised Statutes

OUTLAWED WARRANTS AND ESCHEATED ACCOUNTS:

	<b>Warrant Number</b>	<b>Amount</b>
Social Security Administration	W-162033	\$ 46,612.20
Young, Walter W. K.	S-104186	29.87
Watson, Doris	S-188261	134.65

MISCELLANEOUS CLAIMS:

Maeha, Gordon K.	
Damages to car by vandals while on duty as Safety Security Aide at Roosevelt High School, February 4, 1977	312.00

Nakamura, John H.	
Damage to car in Kahuku High and Elementary School parking lot, September 14, 1977	89.80

Resler, Lois M.	
Damage to car by vandals at Roosevelt High School, October 11, 1977	57.20

Hookano, Glenn	
Damage to car by vandals at McKinley High School, November 21, 1977	197.00

Sykes, Gaile	
Damage to car by vandals at McKinley High School, May 13, 1977	169.31

Lum, Dr. Calvin W.S.	
For veterinary medical services rendered for injuries received by dog belonging to Larry W. Tennyson while confined at the State quarantine station, March 14, 1977	1,407.20

Carter, Barbara	
Damage to car by resident at Waimano Training School and Hospital, July 23, 1976	27.82

Cordeiro, Shirley	
Damages to two rings by resident at Waimano Training School and Hospital, October 29, 1976	205.92
DePonte, Carol	
Damages to wrist watch by resident at Waimano Training School and Hospital, December 14, 1977	45.00
Doi, Tom	
Damages to car by resident at Waimano Training School and Hospital, July 23, 1976	44.36
Enriquez, Rosalina	
Damage to car by resident at Waimano Training School and Hospital, April 22, 1977	4.56
Gabriel, Lavern	
Damage to car by resident at Waimano Training School and Hospital, March 23, 1977	8.27
Perry, Herbert	
Damage to car by resident at Waimano Training School and Hospital, March 23, 1977	5.25
Tansioco, Francisco	
Damage to car by resident at Waimano Training School and Hospital, February 1, 1977	56.78
Tuquero, Susana	
Damage to car by resident at Waimano Training School and Hospital, May 23, 1977	7.88
Halicon, Douglas	
Damages to wrist watch by patient at Hawaii State Hospital, February 9, 1978	44.99

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 the department of taxation as to claims for overpayment of taxes; and (2) upon voucher approved by the director of the department of budget and finance 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 (4%) 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.

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, 1978.)