

ACT 100

H.B. NO. 3

A Bill for an Act Relating to the Relief of Certain 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, 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.

	<b>Division</b>	<b>Amount</b>
<b>REFUND OF TAXES:</b>		
Lee, Gladys C. (Real Property)	Third	\$ 38.14
Sweeney, Francis J. and Marjorie C. (Real Property)	Third	151.37
Lee, Wa Fui (Real Property)	Third	89.42
Hovey, Howard C. (Real Property)	Third	26.83

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	Division	Amount
Walsh, William M. and Mildred K. (Real Property)	Third	202.40
Miller, Barry D. (Real Property)	Third	205.21
Ama-Pro Sporting Goods of Hawaii, Inc.	Third	1,555.00
Will, Paul G. (Real Property)	First	182.90
Tongg Ranch Inc. (Real Property)	First	512.83
O'Brien, John T. and Ada Marie B. (Income)	First	4,001.00
Lau, Lambert L.B. (Real Property)	First	619.55
Canfield, Grant W. (Real Property)	First	624.98
Reyes, Rogelio Q. (Real Property)	First	939.24
Phillip E. Lyon et al./Kahala Mall (Real Property)	First	3,071.09
Matthews, Rudolph	First	22.22
Chapter 662, Hawaii Revised Statutes.		

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

Chapman, Pauline M.		
Civil No. 53835, First Circuit		
Date of Judgment: June 7, 1978		
Amount of Judgment:	\$ 2,000.00	
4% Interest:	91.84	\$ 2,091.84
Wedemeyer, Jesse		
Civil No. 1670, Fifth Circuit		
Date of Settlement: July 20, 1978		
Amount of Judgment:	12,500.00	
4% Interest:	515.07	13,015.07
Malm, Keith H.		
Civil No. 4723, Third Circuit		
Date of Judgment: May 30, 1978		
Amount of Judgment:	42,500.00	
4% Interest:	1,988.77	44,488.77
Fred L. Waldron, Limited		
Civil No. 47707, First Circuit		
Date of Judgment: September 14, 1978		
Amount of Judgment:	31,715.16	
4% Interest:	1,112.20	32,827.36
Takai, Mildred, Individually, Mildred Takai, in her capacity as Administratrix of the Estate of Wayne Harada, Deceased		
Civil No. 51241, First Circuit		
Date of Judgment: October 25, 1978		
Amount of Judgment:	20,000.00	
4% Interest:	611.51	20,611.51

Areal, Manuel, as next friend of Nelson  
Anthony Areal (Frances Q.F. Wong,  
attorney)

Civil No. 54026, First Circuit

Date of Dismissal: October 23, 1978

Amount of Judgment:

4,000.00

4% Interest:

123.18

4,123.18

Fukumoto, Thomas M.

Civil No. 55441, First Circuit

Date of Judgment: October 3, 1978

Amount of Judgment:

2,500.00

4% Interest:

82.47

2,582.47

Takahashi, Janet H. and Rex M.

Civil No. 50318, First Circuit

Date of Judgment: November 8, 1978

Amount of Judgment:

12,500.00

4% Interest:

363.01

12,863.01

Shockley, Larry J.

Civil No. 52767, First Circuit

Date of Judgment: November 14, 1978

Amount of Judgment:

10,000.00

4% Interest:

283.84

10,283.84

Davis, Leroy

Civil No. 1524, Fifth Circuit

Date of Dismissal: November 28, 1978

Amount of Judgment:

12,500.00

4% Interest:

335.62

12,835.62

Robb, Peter Edward, et al.

Civil No. 47263, First Circuit

Date of Judgment: November 2, 1978

Amount of Judgment:

4,000.00

4% Interest:

118.79

4,118.79

Lim, Hyun Ja Cho, individually and as  
Administratrix of the Estate of Kwang Jo Lim  
and Young Ja Lim and Sock Ho Lim, minors

Civil No. 49062, First Circuit

Date of Judgment: December 26, 1978

Amount of Judgment:

40,000.00

4% Interest:

951.23

40,951.23

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Obrey, Daffodil M., individually and as Prochein Ami for Kekumaielani M. Obrey, and her attorney, Donald H.C. Low		
Civil No. 52502, First Circuit		
Date of Judgment: December 18, 1978		
Amount of Judgment:	4,700.00	
4% Interest:	115.89	4,815.89
Chillingworth, Lester		
Civil No. 4340, Third Circuit		
Date of Judgment: January 26, 1979		
Amount of Judgment:	1,153.00	
4% Interest:	23.50	1,176.50
Paoa, George K. and Clothilda		
Civil No. 3089, Second Circuit		
Date of Judgment: November 21, 1978		
Amount of Judgment:	3,000.00	
4% Interest:	82.85	3,082.85
McNeely, Timothy B., a minor, by Sarah P. McNeeley, his next friend, and Sarah P. McNeeley		
Civil No. 49604, First Circuit		
Date of Judgment: October 17, 1978		
Amount of Judgment:	35,000.00	
4% Interest:	1,100.82	36,100.82
Emelda Leavitt, Elizabeth Mae Massirio and Frances Raine		
Civil No. 56798, First Circuit		
Date of Judgment: February 14, 1979		
Amount of Judgment:	15,000.00	
4% Interest:	274.52	15,274.52
Fong, Jeffrey S. C., a minor by Leonard K. K. Fong and Ellen Fong, as his next friends and individually		
Civil No. 48754, First Circuit		
Date of Judgment: February 15, 1979		
Amount of Judgment:	37,500.00	
4% Interest:	682.19	38,182.19
Lum, Evelyn, individually and as Prochein Ami of Jonathan Lum and Dorman Lum		
Civil No. 49399, First Circuit		
Date of Settlement: June 23, 1978		
Amount of Settlement:	125,000.00	
4% Interest:	5,520.55	130,520.55

Chung, Cyril		
Civil No. 57066, First Circuit		
Date of Judgment: February 23, 1979		
Amount of Judgment:	7,000.00	
4% Interest:	121.21	7,121.21
Larsen, Paul L.		
Civil No. 52356, First Circuit		
Date of Judgment: February 26, 1979		
Amount of Judgment:	3,750.00	
4% Interest:	63.70	3,813.70
Bekins Moving and Storage Co. of Hawaii, Inc.		
Civil No. 48005, First Circuit		
Date of Settlement: February 20, 1979		
Amount of Settlement:	10,000.00	
4% Interest:	176.44	10,176.44
Vrana, Linsfred L., as personal representative of the estate of Bruce Alan Vrana, Linsfred L. Vrana and Marjorie G. Vrana		
Civil No. 52243, First Circuit		
Date of Dismissal: March 9, 1979		
Amount of Dismissal:	5,000.00	
4% Interest:	78.90	5,078.90
Nelson, Steve		
Civil No. 52792, First Circuit		
Date of Dismissal: March 12, 1979		
Amount of Dismissal:	2,000.00	
4% Interest:	30.90	2,030.90
Anders, Dorothy		
Civil No. 42734, First Circuit		
Date of Judgment: February 8, 1979		
Amount of Judgment:	84,538.33	
4% Interest:	1,602.75	
Taxing Costs on Appeal approved by Supreme Court on March 8, 1979	177.32	86,318.40
Section 37-77, Hawaii Revised Statutes.		

OUTLAWED WARRANTS AND ESCHEATED ACCOUNTS:

	Warrant No.	Amount
Department of Transportation Water Transportation Facilities Div.	B-001965	\$ 340,500.00
City and County of Honolulu Director of Finance	G-120829	30,115.52

	<b>Warrant No.</b>	<b>Amount</b>
City and County of Honolulu Honolulu Job Resource Center	G-255443	57,456.01
City and County of Honolulu Honolulu Job Resource Center	G-255444	2,465.85
City and County of Honolulu Honolulu Job Resource Center	G-271645	29,923.37
<b>MISCELLANEOUS CLAIMS:</b>		<b>Amount</b>
Lum, Mae Amy Reimbursement for loss of personal typewriter which was stolen in burglary of Kaiulani Elementary School. May 26, 1978		\$ 179.50
Nakamura, Roy Destruction of eyeglasses, shirt and trousers in restraining a student at Waianae Elementary School. September 18, 1978		130.00
Alconera, Garry Reimbursement for loss of personal property (skateboard equipment) in burglary at Keaau Community School Li- brary. March 14, 1978		277.44
Silva, Ralph Reimbursement for damage to wristwatch in restraining pa- tient at Hawaii State Hospital. June 15, 1978.		85.00

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 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 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 May 22, 1979.)