

ACT 134

S.B. NO. 1709-84

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:

JUDGMENTS AGAINST THE STATE
AND SETTLEMENT CLAIMS:

	<u>Amount</u>
Wilson, Kathleen L. Civil No. 5086, Second Circuit Date of Settlement: 7-19-83 Amount of Settlement: \$ 85,000.00 No interest.	\$ 85,000.00
First Insurance Company of Hawaii, Ltd. Civil No. 6303, Third Circuit Date of Judgment: 9-2-83 Amount of Judgment: \$ 37,500.00 4% interest: \$ 1,364.75	\$ 38,864.75

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Toyofuku, Toichi, and Hatta, Sasayo
Civil No. 62833
Date of Settlement: 9-28-83
Amount of Settlement: \$ 16,000.00
No interest. \$ 16,000.00

Applebee, Thomas and Applebee, Patricia
Civil No. 62593
Date of Judgment: 8-16-83
Amount of Judgment: \$721,915.21
4% interest: \$ 27,614.24 \$749,529.45

Nance, Argie
Civil No. 7916, Third Circuit
Date of Judgment: 10-12-83
Amount of Judgment: \$ 18,092.20
4% interest: \$ 579.35 \$ 18,671.55

Hammer, Virgie
Civil No. 6809, Third Circuit
Date of Judgment: 7-14-83
Amount of Judgment: \$ 15,000.00
4% interest: \$ 627.87 \$ 15,627.87

Bello, Richard
Civil No. 6809, Third Circuit
Date of Judgment: 7-14-83
Amount of Judgment: \$ 1,000.00
4% interest: \$ 41.86 \$ 1,041.86

Sackville, Evelyn
Civil No. 6809, Third Circuit
Date of Judgment: 7-14-83
Amount of Judgment: \$ 10,000.00
4% interest: \$ 418.58 \$ 10,418.58

Estate of William Sackville
Civil No. 6809, Third Circuit
Date of Judgment: 7-14-83
Amount of Judgment: \$ 5,000.00
4% interest: \$ 209.29 \$ 5,209.29

Ethel S. Littleton vs. State of Hawaii

Civil Nos. 50265 and 51345

Amount of Judgment:	\$ 70,885.93	
4% interest:	\$ 4,058.31	\$ 74,944.24

Shirley Matsuura vs. State of Hawaii

vs. City and County of Honolulu

Amount of Judgment:	\$ 41,713.16	
4% interest:	\$ 2,383.56	\$ 44,096.72

Mitzvah, Inc. et al. vs. State of Hawaii, et al.

Civil No. 63046

Herbert and Phyllis Katz, and their attorney Enver Painter

Amount of Judgment:	\$ 65,000.00	
No interest.		\$ 65,000.00

Bowling, Reed J. and Land, John E.

Supreme Court No. 6629

Date of Judgment: 3-7-77

John E. Land

Amount of Judgment:	\$377,944.46	
4% interest	\$ 55,956.00	\$433,900.46

Reed J. Bowling

Amount of Judgment:	\$305,954.80	
4% interest:	\$ 45,297.00	\$351,251.80

National Company, Inc., vs.

Ross Wigney, et al.

Civil No. 70968

Amount of Judgment:	\$ 7,500.00	\$ 7,500.00
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Beatrice Adarna vs. State of Hawaii, et al.

Hawaii, et al.

Civil No. 56238

Amount of Judgment:	\$ 15,175.71	
4% interest:	\$ 2,176.87	\$ 17,352.58

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Raymond A. Kimoto vs. State
of Hawaii

Civil No. 4131

Amount of Judgment: \$ 4,350.07 \$ 4,350.07

Bryan Smith, et al. vs. State
of Hawaii

Civil No. 71035

Vita Smith

Amount of Judgment: \$155,000.00

4% Interest: \$ 3,269.40 \$158,269.40

Bryan Smith

Amount of Judgment: \$ 30,000.00

4% Interest: \$ 632.79 \$ 30,632.79

Eric Nettare vs. Bradford Lamb
vs. State of Hawaii, and
County of Maui

Civil No. 4628(1)

Date of Settlement: 2-7-84

Amount of Settlement: \$ 42,500.00

Rosemary T. Leary, et al.
vs. State of Hawaii

Civil No. 4070(2)

Date of Settlement: 3-2-84

Amount of Settlement: \$ 60,000.00

Cabotaje, Gloria J.

Civil No. 6002(2)

Second Circuit \$975,000.00 \$975,000.00

Silva, Cynthia R.

\$ 9,000.00

Interest at 4%

154.43

\$ 9,154.43

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Lunasco, Oliver Shane

Reimbursement to Waialua H.S. student
for theft of engine, tires, and
miscellaneous parts from van owned
by student.

\$ 6,786.70

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 upon vouchers approved by the attorney general as to all 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, 1985.

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 24, 1984.)