

ACT 270

H.B. NO. 1990-86

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 forth opposite their names:

REFUND OF TAXES:	<u>Amount</u>
AIRLINES HOLDING, INC.	
Interest on refunds:	\$ 736.08
ALOHA AIRLINES, INC.	
No. 10350, Supreme Court of Hawaii	
Interest on refund:	\$ 69,243.48
HAWAIIAN AIRLINES, INC.	
No. 10350, Supreme Court of Hawaii	
Interest on refunds:	\$ 68,015.99
HAWAIIAN AIRLINES, INC.	
No. 10350, Supreme Court of Hawaii	
Interest on PSC Taxes (9/75, 12/75)	\$542,775.02
PRINCEVILLE AIRWAYS, INC.	
No. 2019, Tax Appeal	
Interest on refunds:	\$ 21,698.24
ROYAL HAWAIIAN AIRWAYS, INC.	
No. 2259, Tax Appeal	
Interest on refunds:	\$ 14,670.99
JUDGMENTS AGAINST THE STATE	
AND SETTLEMENTS OF CLAIMS:	
AHN, Melinda	
Civil No. 76338, First Circuit	
Amount of Settlement:	\$150,000.00
No interest	
AKIOKA, Dino	
Civil No. 82073, First Circuit	
Amount of Settlement:	\$ 15,000.00
No interest	
ALEJO, Guillermo and Hermelinda Alejo	
Civil No. 81888 (First Circuit)	
Amount of Settlement:	\$125,000.00

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Date of Settlement: April 10, 1986

No Interest

BLIGHT, Patricia

Civil No. 62456, First Circuit

Amount of Settlement: \$ 30,000.00

No interest

BROWN, Glenwood

\$ 41,986.85

Civil No. 5843(1), Second Circuit

Amount of Settlement: \$ 40,500.00

Interest at 4% from 7-31-85: 1,486.85

CHAKROBORTTY, Maitrayee

Civil No. 76389, First Circuit

Amount of Settlement: \$270,000.00

No interest

CRAIG, Stanley

Civil No. 7927, Third Circuit

Amount of Settlement: \$ 50,000.00

No interest

CRUZ, Esther

Civil No. 9657, Third Circuit

Amount of Settlement: \$ 20,000.00

No interest

DEETZ, Susanne

Civil No. 65494, First Circuit

Amount of Settlement: \$ 10,000.00

No interest

DEPARTMENT OF EDUCATION v. MR. AND MRS. L.

U.S.D. Ct. Nos. 85-1461, 85-1484 (D. Haw.)

Amount of Settlement: \$ 4,000.00

Date of Settlement: March 11, 1986

No interest

DYER, Charlene, et al., not to exceed: \$393,562.92

and conditional upon entry of a final judgment

Haw. S. Ct. No. 10493

Date of Trial Judgment: 11-13-84

Amount of Judgment:	\$319,400.50
Costs:	\$ 19,078.38
Interest not to exceed:	\$ 55,084.04
FRIEDNER, Gerald	
Civil No. 8728, Third Circuit	
Amount of Settlement:	\$ 25,000.00
No interest	
GUERRERO, Emmanuel	
Civil No. 82705, First Circuit	
Amount of Settlement:	\$ 5,000.00
No interest	
HASHIMOTO, Dana	
Civil No. 83486, First Circuit	
Amount of Settlement:	\$ 13,000.00
No interest	
HAUPT, Boyd	
Civil No. 71979, First Circuit	
Amount of Settlement:	\$ 15,000.00
No interest	
HEILMAN, Richard	
Civil No. 10094 (Third Circuit)	
Amount of Settlement:	\$ 5,000.00
Date of Settlement: March 27, 1986	
No interest	
HO, Aloha	
Civil No. 79048, First Circuit	
Amount of Settlement:	\$ 85,000.00
No interest	
HUTCHINSON, Bonnie	
Civil No. 7916, First Circuit	
Amount of Settlement:	\$ 25,000.00
No interest	
IKEGAMI, David T.	
Civil No. 70511, First Circuit	
Amount of Settlement:	\$110,522.82

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No interest

In the Matter of the Arbitration Between
U.H. v. UHPA, on behalf of Alice Daeufer
S. P. No. 85-0012

\$186,308.00

Date of Judgment: February 5, 1986

JAMIESON, Alice Diane

Civil No. 86-288, Third Circuit

Amount of Settlement:

\$ 7,195.00

Date of Settlement: April 9, 1986

No interest

KAAHEA, Sheryl

Civil No. 71631, First Circuit

Amount of Settlement:

\$ 5,500.00

No interest

LITTLEMAN, Joseph

\$ 5,149.59

Civil No. 2884, Fifth Circuit

Date of Settlement: October 10, 1985

Amount of Settlement:

\$ 5,000.00

Interest at 4% from 10-1-85:

149.59

MATTOON, Margaret

Civil No. 84-1958 (First Circuit)

Amount of Settlement:

\$ 76,000.00

Date of Settlement: April 4, 1986

No interest

MAU, Mary E.

\$ 6,493.86

Civil No. 67523, First Circuit

Date of Judgment: August 9, 1985

Amount of Judgment:

\$ 6,269.86

Interest at 4% from 8-9-85:

224.00

MICHELY, Albert

Civil No. 79542, First Circuit

Amount of Settlement:

\$ 34,000.00

No interest

MIDPAC LUMBER CO., LTD.

Civil No. 48062, First Circuit

Amount of Settlement: \$ 40,000.00
No interest
NAKOA, et al. v. State, et al.
Civil No. 69564, First Circuit
Amount of Settlement: \$ 50,000.00
No interest
PARK, Kui-Im
Civil No. 81403, First Circuit
Amount of Settlement: \$ 5,000.00
No interest
PRATT, Jane
Civil No. 85-0504, First Circuit
Amount of Settlement: \$ 5,406.89
No interest
PUAILIHAU, Lorna
Civil No. 7279(1), Second Circuit
Amount of Settlement: \$ 12,000.00
No interest
QUON, Sharlan
Civil No. 82465, First Circuit
Amount of Settlement: \$100,000.00
Date of Settlement: April 3, 1986
No interest
SAIZON, Scott
Civil No. 82543, First Circuit
Amount of Settlement: \$ 25,000.00
No interest
SAKUMA, Leatrice N.
Civil No. 77847, First Circuit
Amount of Settlement: \$300,000.00
No interest
SAN JOSE, Gerardo Parada
Civil No. 59074, First Circuit
Amount of Settlement: \$136,686.56
No interest

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SCOTT, Patrick

Civil No. 81554, First Circuit

Amount of Settlement: \$1,000,000.00

Date of Settlement: March 24, 1986

No interest

SPEAR, Agnes

\$337,109.21

Civil No. 84-1104, U.S.D.C.

Date of Settlement: 9-11-85

Amount of Settlement:

Costs: \$ 83,259.00

Attorney's Fees: 220,000.00

Interest at 10% from 9-11-85: 24,343.80

4% GET on Attorney's Fees and

Interest on Attorney's Fees: 9,506.41

SOUZA, Clarice

Civil No. 85-1192, First Circuit

Amount of Settlement: \$ 7,500.00

SWERS, Barbara

\$ 96,485.96

Civil No. 67502, First Circuit

Date of Judgment: May 3, 1985

Amount of Judgment: \$ 92,201.73

Interest at 4% from 5-3-85: 4,284.23

TANAKA, Kenneth

\$229,547.40

Civil No. 78352, First Circuit

Date of Settlement: 5-31-85

Amount of Settlement: \$220,000.00

Interest at 4% from 5-31-85: 9,547.40

TIN, Timothy

Civil No. 3422, Fifth Circuit

Amount of Settlement: \$300,000.00

No interest

TOYOTA, Violet

Civil No. 69885, First Circuit

Amount of Settlement: \$ 15,750.00

No interest

TREU, Shane	
Civil No. 5411, Second Circuit	
Amount of Settlement:	\$ 20,000.00
No interest	
TRUJILLO, Celia	
Civil No. 77210, First Circuit	
Amount of Settlement:	\$ 20,000.00
No interest	
TWEEDT, James	
Civil No. 6045(1), Second Circuit	
Amount of Settlement:	\$ 3,500.00
No interest	
VISAYA, Artemio	
Civil No. 74464, First Circuit	
Amount of Settlement:	\$ 13,281.38
No interest	
YAMAMOTO, Chieko	
Civil No. 82795, First Circuit	
Amount of Settlement:	\$ 40,000.00
No interest	
MISCELLANEOUS CLAIMS:	<u>Amount</u>
CROWE, Randall W.	\$ 100.00
NAKANISHI, Ellen N.	250.00
BAPTISTA, Viola	44.58

SECTION 2. The sums hereinabove appropriated shall be paid to the respective persons and in the several amounts hereinabove set forth upon warrants issued by the comptroller of the State: (1) upon vouchers approved by the director of taxation as to any 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 settlement to thirty days after 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, 1987.

SECTION 4. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the

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invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 29, 1986.)