

ACT 3

S.B. NO. 13-S

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
Sharla C. Simpson v. State of Hawaii, et al. Civ. No. 93-135K, Third Circuit	\$ 68,038.40 Judgment
Peggy Sue Wray v. State of Hawaii, et al Civ. No. 91-4143, First Circuit	\$ 20,000.00 Settlement
Robert Petricci, et al. v. Puna Geothermal Venture, et al. Civ. No. 91-324, Third Circuit and Consolidated Cases	\$ 25,000.00 Settlement
Stanley K. Palama v. State of Hawaii, et al. Civ. No. 92-2049-06, First Circuit	\$ 38,000.00 Settlement
Sulieti F. Pousini, et al. v. Eva H. Tonga, et al. Civ. No. 91-3744-11 and Sione Fotu and Toemu Fotu v. Eva H. Tonga, et al. Civ. No. 93-2548-06, First Circuit	\$ 75,000.00 Settlement
Eric Schroeder v. State Civ. No. 93-1903-05	\$143,528.76 Settlement
Claim of Larry Williams	\$ 35,000.00 Settlement
Tanya Felix v. State of Hawaii, et al. Civ. No. 92-0215	\$ 20,000.00 Settlement
Claim of Hawaiian Cement	\$ 18,765.47 Settlement
Barry Schnabel v. State of Hawaii, et al. Civ. No. 90-2402-08	\$ 12,815.92 Judgment
Lyle K. Bonilla v. Toguchi et al. Civ. No. 93-3952-10	\$ 30,000.00 Settlement
Regina M. Diamantopulos, et al. v. Goshima, et al. Civ. No. 92-2737-07	\$ 50,000.00 Settlement
Marcia Linville v. State of Hawaii Civ. No. 93-00661 ACK	\$ 75,000.00 Settlement
Vicky Paulo v. State of Hawaii Civ. No. 91-4280	\$ 20,000.00 Settlement
Betty Young v. Caroline Tom, et. al. Civ. No. 94-1735-05, First Circuit	\$ 24,950.57 Judgment
Burgo v. Falk, et al. Civ. No. 91-163 HMF	\$ 75,000.00 Settlement

JUDGMENTS AGAINST THE STATE
AND SETTLEMENTS OF CLAIMS:

	Amount
Nesbit-Galiza v. State of Hawaii Civ. No. 93-554, Third Circuit	\$ 25,000.00 Settlement
Francine Elizabeth Eakin, et al. v. State of Hawaii, et al. Civ. No. 93-0413-02, First Circuit	\$400,000.00 Settlement
Marry Lee Robbennolt et al. v. George Sumner, et al. Civ. No. 93-00379, Federal District Court	
Jane Roe 2 v. George Sumner, et al. Civ. No. 93-00411 HMF, Federal District Court	
Jane Roe 3 v. George Sumner, et al. Civ. No. 93-00757 ACK, Federal District Court	
Francine Elizabeth Eakin v. George Sumner, et al. Civ. No. 93-00378 ACK, Federal District Court	
Sharon A. Klawfta v. George Sumner, et al. Civ. No. 93-00664 ACK, Federal District Court	
Jane Doe v. Sumner, et al. Civ. No. 93-00437 DAE, Federal District Court	\$ 75,000.00 Settlement
Lind v. Grimmer Civ. No. 92-415 ACK, Federal District Court	\$ 15,000.00 Settlement
The Systemcenter v. State of Hawaii Civ. No. 94-0457(1), Second Circuit	\$ 5,000.00 Settlement
Schroeder v. Rice, et al. Civ. No. 95-00042 ACK/BMK (USDC); Schroeder v. Medley, et al. Civ. No. 94-00762 DAE/BMK (USDC); Schroeder v. Afalava, et al. Civ. No. 94-00535 DAE/BMK (USDC); Schroeder v. Tavares, et al. Civ. No. 93-00433 ACK/BMK (USDC); Schroeder v. Dunaway, et al. Civ. No. 92-00491 ACK/BMK (USDC); Schroeder v. Sumner Civ. No. 92-4606-12 (1st CC); Schroeder v. McDonald Civ. No. 91-00111 DAE/BMK (USDC) Ninth Circuit Court of Appeals No. 93-15169; Schroeder v. Kaplan, et al. Civ. No. 90-00728 DAE/BMK (USDC) Ninth Circuit Court of Appeals No. 17123; and Schroeder v. Mabellos, et al. Civ. No. 90-00475 HMF/BMK (USDC)	\$ 15,179.04
Mark Development Inc. v. HHA, et al. Civ. No. 93-0028(1), 2nd Circuit Court	\$600,000.00 Settlement
Lusia Silva v. State of Hawaii, et al. Civ. No. 94-2381-06, First Circuit Court	\$ 11,674.04 Judgment and Interest

MISCELLANEOUS CLAIMS:	Amount
Stacy Perlin	\$ 220.00
Merlin Olszewski	\$ 1,278.92
Malia Elliott	\$ 839.98

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 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, 1996, 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 27, 1995.)