

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 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:

	Amount
JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:	
Asato v. Ozaki, et al. Civil No. 96-1964-05, First Circuit	\$ 125,000.00 Settlement
Cerrone v. Department of Education, et al. Civil No. 93-245K, Third Circuit	50,000.00 Settlement
Deniz v. University of Hawaii at Hilo Civil No. 96-054K, Third Circuit	22,100.00 Judgment
Amount of Judgment:	21,600.00
Interest at 4% from 1/2/97	500.00
Fuller v. Department of Public Safety, et al., Civil No. 95-532, Third Circuit	27,922.37 Judgment
Amount of Judgment:	27,000.00
Interest at 4% from 9/23/96:	922.37
Madalora, et al. v. Roberts Tours, et al., Civil No. 94-282, Third Circuit	20,000.00 Settlement
Miyake v. County of Hawaii, et al. Civil No. 94-128, Third Circuit	30,000.00 Settlement
Osmose Wood Preserving, Inc. Case Nos. 3630, 4235, 4683 Tax Appeal Court	35,795.12 Settlement
Padua v. State Civil No. 94-4554-12, First Circuit	25,000.00 Settlement
Sadiri v. Wakukawa, et al. Civil No. 96-0007(1), Second Circuit	16,000.00 Settlement
State of Hawaii v. W.H. McVay, et al. Civil No. 91-4097-12, First Circuit	500,000.00 Settlement
Toyama, et al. v. DLIR Civil No. 95-1928-05, First Circuit	78,823.25 Judgment
Amount of Judgment:	75,241.42
Interest at 4% from 5/21/96:	3,581.83

Velasquez v. Johnson, et al. Civil No. 93-0592-02, First Circuit	20,000.00 Settlement
Scanlan v. State of Hawaii Civil No. 96-1137-03, First Circuit	40,000.00 Settlement
Wilsey v. State Civil No. 95-2391-07, First Circuit	57,000.00 Settlement
Mark A. Blankenship v. State, et al. Civil No. 94-3879-10, First Circuit	52,500.00 Settlement
Gannett Pacific Corp. dba The Honolulu Advertiser v. DLIR, et al. Civil No. 96-3451-08, First Circuit	8,400.00 Settlement
Shults v. State, et al. Civil No. 94-0174(3), Second Circuit	337,500.00 Settlement
Shults v. State, et al. Civil No. 94-0651(3), Second Circuit	337,500.00 Settlement
Arbitration of UHPA and University of Hawai Board of Regents (Grv. of Ramdas Lamb)	332,370.88 Arbitration Award
Livai, et al. v. State Civil No. 94-2353-06, First Circuit	55,000.00 Settlement
Stierman v. Deontes and State Civil No. 95-148K, Third Circuit	45,000.00 Settlement
Martell v. Thames, et al. Civil No. 95-0474, Second Circuit	100,000.00 Settlement
Giorgini v. State, et al. Civil No. 96-0031(1), Second Circuit	68,175.94 Judgment
Amount of Judgment:	67,152.94
Interest at 4% from 3/5/97	1,023.00
El-Ramly v. University of Hawaii Civil No. 96-00440, U.S.D.C.	20,000.00 Settlement
Le v. Hill, et al. Civil No. 94-12785, First Circuit	35,000.00 Settlement
Morita v. Kapewa Iona, et al. Civil No. 95-3895-10, First Circuit	50,400.00 Settlement
Fogelstrom v. Kapewa Iona, et al. Civil No. 95-4581-12, First Circuit	25,500.00 Settlement
Tuiasosopo v. State, et al. Civil No. 94-0596-02, First Circuit	210,000.00 Settlement
Manuela Kravarik v. State, et al. Civil No. 95-0058(3), Second Circuit	47,500.00 Settlement
Ulysses K. Kim v. State, et al. Civil No. 95-4050-11, First Circuit	156,230.92 Settlement

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Ulysses K. Kim v. Penarosa, et al. Civil No. 95-00777 HG/FIY, U.S.D.C.	43,269.08 Settlement
Anne Vennell Tort claim	15,000.00 Settlement
Gary D. Roth, et al. v. State, et al Civil No. 95-0530-02, First Circuit	50,000.00 Settlement
Margaret K. Tanaka v. State, et al Civil No. 96-3788, First Circuit	50,000.00 Settlement
Douglas G. Westbrook v. Richard Mello, et al Civil No. 96-00833 DAE, U.S.D.C.	25,000.00 Settlement
Kathleen A. Berger v. Univ. of Hawaii, et al Civil No. 94-0375-01, First Circuit	75,000.00 Settlement
May Hinazumi v. Dept. of the Atty. General Civil No. 96-1376-04, First Circuit	15,000.00 Settlement
Bueno v. Matsumoto Civil No. 94-0019, Fifth Circuit	45,000.00 Settlement
Akuna v. Matsumoto Civil No. 93-0118, Fifth Circuit	37,500.00 Settlement
John Does, et al. v. Chandler, et al. Civil No. 95-00498, U.S.D.C.	64,936.68 Judgment
Amount of Judgment:	63,476.76
Interest at 10%:	1,459.92
Botelho v. State Civil No. 95-618, Third Circuit	22,000.00 Settlement
Claim of Warren Asaeda	14,499.58
Claim of Margaret J. GylInquest	24.20
Claim of Debra Y. Hiyakumoto	118.00
Claim of Richard McLaughlin	366.73
Claim of Maura M. Quinn	638.89
Jovita Brown v. Weldrite, et al Civil No. 95-1256-04, First Circuit	2,000,000.00 Settlement
Francis Wong v. State, et al Civil No. 95-2900-08, First Circuit	120,000.00 Settlement
Stebbins v. State of Hawaii Civil No. 94-2032-05, First Circuit	79,068.90 Judgment
Amount of Judgment:	77,273.26
Interest:	1,795.64
Green Sand Community Assoc., et al. v. Hawyard, et al. Civil No. 93-3259-08, First Circuit	24,672.22 Settlement

M & E Pacific, Inc. Contract Dispute	215,000.00 Settlement
Anthony DeGuzman v. Penarosa, et al Civil No. 96-00680 HG, U.S.D.C.	210,000.00 Settlement
Wilkinson v. State, et al Civil No. 94-4141-11, First Circuit	210,000.00 Settlement

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 or checks 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, 1998, 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 16, 1997.)