

1 officers or employees for the overpayment of taxes, or for
 2 refunds, reimbursements, payments of judgments or settlements,
 3 or other liabilities, in the amounts set forth opposite their
 4 names:

5 JUDGMENTS AGAINST THE STATE	AMOUNT
6 AND SETTLEMENTS OF CLAIMS:	
7	
8 1. DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES:	
9	
10 Mediation of Hilo Judiciary Complex	\$ 2,141,098.00
11 Construction Claims	Settlement
12	
13	_____
14	
15 SUBTOTAL:	\$ 2,141,098.00
16	
17 2. DEPARTMENT OF EDUCATION:	
18	
19 In the Matter of the Arbitration Between	\$ 12,298.00
20 Hawaii State Teachers Association, AFSME	Settlement
21 Local 152, AFL-CIO and Kihei Public Charter	
22 School (Grievance of Marty Bender)	
23	
24 Jemwai v. Keau, et al.,	\$ 252,500.00
25 Civil No. 09-1-0095-01, First Circuit	Settlement
26	
27 John Doe Parent, et al. v. State of Hawaii,	\$ 70,700.00
28 et al., Civil No. 10-1-0505-03, First Circuit	Settlement
29	
30 McCauley v. Inouye, et al.	\$ 136,350.00
31 Civil No. 07-01-206K, Third Circuit	Settlement
32	
33	_____
34	
35 SUBTOTAL:	\$ 471,848.00
36	
37 3. HAWAII HEALTH SYSTEMS CORPORATION:	
38	
39 United Public Workers AFSCME, Local 646,	\$ 19,511.73



1	AFL-CIO and State of Hawaii, et al.	Judgment
2	S.P. No. 09-1-0305, First Circuit	
3		
4		<hr/>
5	SUBTOTAL:	\$ 19,511.73
6		
7	4. DEPARTMENT OF HEALTH:	
8		
9	Segundo v. Frederick, et al.	\$ 328,250.00
10	Civil No. 08-1-0106, Third Circuit	Settlement
11		<hr/>
12		
13	SUBTOTAL:	\$ 328,250.00
14		
15	5. DEPARTMENT OF HUMAN SERVICES:	
16		
17	Robinson, et al. v. Plourde, et al.	\$ 20,929.57
18	Civil No. 04-00672 DAE-KSC, USDC	Order
19		
20	Sound v. Koller, et al.	\$ 70,124.05
21	Civil No. 09-00409 JMS/KSC, USDC	Settlement
22		<hr/>
23		
24	SUBTOTAL:	\$ 91,053.62
25		
26	6. DEPARTMENT OF LAND AND NATURAL RESOURCES:	
27		
28	Kinney v. Department of Land and Natural	\$ 54,169.39
29	Resources, et al.,	Judgment
30	Civil No. 03-1-0010, Fifth Circuit	
31		
32	Santiago v. County of Kauai, et al.	\$ 18,180.00
33	Civil No. 08-1-0210, Fifth Circuit	Settlement
34		<hr/>
35		
36	SUBTOTAL:	\$ 72,349.39
37		
38		
39	7. DEPARTMENT OF PUBLIC SAFETY:	
40		
41	Botelho, et al. v. State of Hawaii, et al.	\$ 277,750.00
42	Civil No. 06-00096, USDC	Settlement
43		



1	Itagaki v. Frank, et al.	\$	83,830.00
2	Civil No. 09-00110 SOM-RLP, USDC		Settlement
3			
4	Kuresa v. Frank, et al.	\$	25,250.00
5	Civil No. 09-1-0303-02, First Circuit		Settlement
6			
7	Maier v. State of Hawaii, et al.	\$	20,200.00
8	Civil No. 10-00449 JMS-BMK, USDC		Settlement
9			
10	Tenney v. State of Hawaii , et al.	\$	150,995.00
11	Civil No. 09-1-0190-01, First Circuit		Settlement
12			
13	SUBTOTAL:	\$	558,025.00
14	8. MISCELLANEOUS CLAIMS:		
15	Tom Ishigo	\$	1,852.64
16	Nicole T. Kelley	\$	394.74
17	Paulette Yoshida	\$	464.00
18			
19	SUBTOTAL:	\$	2,711.38
20	Total (SECTION 3):	\$	3,684,847.12

21 The sums appropriated shall be expended by the department
22 of the attorney general for the purposes of this Act.

23 PART II

24 SECTION 4. The following sums or so much thereof as may be
25 necessary for fiscal year 2011-2012 are appropriated out of the
26 state highway fund for the purpose of satisfying claims for
27 legislative relief as to the following named persons, for claims



1 against the State or its officers or employees for payments of
2 judgments or settlements, or other liabilities, in the amount
3 set forth opposite their names:

4 JUDGMENTS AGAINST THE STATE	AMOUNT
5 AND SETTLEMENTS OF CLAIMS:	
6	
7 DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
8	
9 Labinia v. State of Hawaii, et al.	\$ 909,000.00
10 Civil No. 07-1-0075-01, First Circuit	Settlement
11	
12 Moulton, et al. v. Alamo Rental, et al.	\$ 909,000.00
13 Civil No. 08-1-0447(3), Second Circuit	Settlement
14	
15 Requelman v. State of Hawaii, et al.	\$ 232,300.00
16 Civil No. 06-1-0366, Third Circuit	Settlement
17	
18	
19	
20 SUBTOTAL:	\$ 2,050,300.00
21	
22 TOTAL (SECTION 4)	\$ 2,050,300.00
23	

24 The sums appropriated shall be expended by the department
25 of transportation, highways division, for the purposes of this
26 Act.

27 PART III

28 SECTION 5. The following sums or so much thereof as may be
29 necessary for fiscal year 2011-2012 are appropriated out of the
30 harbor special fund for the purpose of satisfying claims for
31 legislative relief as to the following named persons, for claims
32 against the State or its officers or employees for payments of



1 judgments or settlements, or other liabilities, in the amount
2 set forth opposite their names:

3 JUDGMENTS AGAINST THE STATE	AMOUNT
4 AND SETTLEMENTS OF CLAIMS:	
5	
6 DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION:	
7	
8 Barba v. State of Hawaii, et al.	\$ 35,350.00
9 Civil No. 09-1-0470-02, First Circuit	Settlement
10	
11 Lexington Insurance Company A/S/O/	\$ 20,200.00
12 Harry and Jeannette Weinberg Foundation,	Settlement
13 Inc. v. State of Hawaii, et al.	
14 Civil No. 09-1-2864-12, First Circuit	
15	
16	
17	
18 SUBTOTAL:	\$ 55,550.00
19	
20 TOTAL (SECTION 5)	\$ 55,550.00
21	
22	

23 The sums appropriated shall be expended by the department
24 of transportation, harbors division, for the purposes of this
25 Act.

26 PART IV

27 SECTION 6. The sums hereinabove may be paid to the
28 respective persons, or for the satisfaction or settlement of the
29 respectively identified cases, and in several amounts
30 hereinabove set forth or in lesser amounts deemed appropriate,
31 upon checks issued by the comptroller; provided departments



1 shall obtain the approval of the attorney general before payment
2 of any claim can be made.

3 SECTION 7. Notwithstanding the sums hereinabove stated as
4 interest upon judgments against the State, payment of interest
5 shall be limited to the period from the date of judgment, if
6 applicable, to thirty days after the effective date of this Act,
7 as provided in section 662-8, Hawaii Revised Statutes, for those
8 cases to which the statute applies.

9 SECTION 8. All unexpended and unencumbered balances of the
10 appropriations made in this Act as of the close of business on
11 June 30, 2012, shall lapse.

12 SECTION 9. If any provision of this Act, or the
13 application thereof to any person or circumstance, is held
14 invalid, the invalidity does not affect other provisions or
15 applications of the Act that can be given effect without the
16 invalid provision or application, and to this end the provisions
17 of this Act are severable.

18 SECTION 10. This Act shall take effect upon its approval.



Report Title:

Appropriations; Claims Against State

Description:

Makes emergency appropriations for claims against the State, its officers, and its employees that were submitted during the regular session of 2011 but were not funded. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

