
A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS
OFFICERS, OR ITS EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 PART I

2 SECTION 1. The following sums or so much thereof as may be
3 necessary for fiscal year 2011-2012 are appropriated out of the
4 general revenues of the State of Hawaii to the department of the
5 attorney general for the purpose of satisfying claims for
6 legislative relief as to the following named persons, firms,
7 corporations, and entities, for claims against the State or its
8 officers or employees for the overpayment of taxes, or for
9 refunds, reimbursements, payments of judgments or settlements,
10 or other liabilities, in the amounts set forth opposite their
11 names:

12	JUDGMENTS AGAINST THE STATE	AMOUNT
13	AND SETTLEMENTS OF CLAIMS:	
14		
15	1. DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES:	
16		
17	Elections Systems & Software, Inc. v.	\$ 1,205,000.00
18	Cronin, et al., CAAP-11-0000078	Settlement



1	Tanaka, et al. v. State of Hawaii, et al.	\$	73,000.00
2	Civil No. 09-00579, USDC		Settlement
3			
4			
5			
6	SUBTOTAL:	\$	1,278,000.00
7			
8	2. DEPARTMENT OF EDUCATION:		
9			
10	Miljkovic v. State of Hawaii, et al.	\$	7,500.00
11	Civil No. 09-00064 ACK-KSC, USDC		Settlement
12			
13			
14			
15	SUBTOTAL:	\$	7,500.00
16			
17	3. DEPARTMENT OF LAND AND NATURAL RESOURCES:		
18			
19	Ah Loo v. State of Hawaii, et al.	\$	40,000.00
20	Civil No. 11-1-0032, Fifth Circuit		Settlement
21			
22	Weingartner v. State of Hawaii, et al.	\$	90,000.00
23	Civil No. 09-1-1563-07, First Circuit		Settlement
24			
25			
26			
27	SUBTOTAL:	\$	130,000.00
28			
29	4. DEPARTMENT OF PUBLIC SAFETY:		
30			
31	Gishi v. State of Hawaii, et al.	\$	75,000.00
32	Civil No. 10-1-0198-01, First Circuit		Settlement
33			
34	Glessner v. State of Hawaii, et al.	\$	30,000.00
35	MCCP No. 2010-066		Settlement
36			
37	Graff, et al. v. State of Hawaii, et al.	\$	156,814.01
38	Civil No. 08-1-0975-05, First Circuit		Settlement
39			
40	Timas v. State of Hawaii, et al.	\$	60,000.00
41	Civil No. 10-00517, USDC		Settlement
42			
43			



1	SUBTOTAL:	\$ 321,814.01
2		
3	5. OFFICE OF HAWAIIAN AFFAIRS:	
4		
5	Tsachev v. State of Hawaii, et al.	\$ 162,500.00
6	Civil No. 09-1-1207-05	Settlement
7		
8		
9		
10	SUBTOTAL:	\$ 162,500.00
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12	Total (SECTION 1):	\$ 1,899,814.01

13
14 The sums appropriated shall be expended by the department
15 of the attorney general for the purposes of this Act.

16 PART II

17 SECTION 2. The following sum or so much thereof as may be
18 necessary for fiscal year 2011-2012 is appropriated out of the
19 state highway fund for the purpose of satisfying claims for
20 legislative relief as to the following named persons, for claims
21 against the State or its officers or employees for payments of
22 judgments or settlements, or other liabilities, in the amount
23 set forth opposite their names:

24	JUDGMENTS AGAINST THE STATE	AMOUNT
25	AND SETTLEMENTS OF CLAIMS:	
26		
27	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
28		
29	Kuahiwinui, et al. v. Zelo's, et al.	\$ 210,000.00
30	Civil No. 08-1-0067, Fifth Circuit	Settlement
31	Ackerman v. Kuahiwinui, et al.	
32	Civil No. 08-1-0069, Fifth Circuit	



1		
2		<hr/>
3	SUBTOTAL:	\$ 210,000.00
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5	TOTAL (SECTION 2)	\$ 210,000.00
6		

7 The sum appropriated shall be expended by the department of
8 transportation, highways division, for the purposes of this Act.

9 PART III

10 SECTION 3. The following sum or so much thereof as may be
11 necessary for fiscal year 2011-2012 is appropriated out of the
12 airport revenue fund for the purpose of satisfying claims for
13 legislative relief as to the following named persons, for claims
14 against the State or its officers or employees for payments of
15 judgments or settlements, or other liabilities, in the amount
16 set forth opposite their names:

17	JUDGMENTS AGAINST THE STATE	AMOUNT
18	AND SETTLEMENTS OF CLAIMS:	
19		
20	DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION:	
21		
22	Wolfe v. State of Hawaii, et al.	\$ 60,000.00
23	Civil No. 10-1-1029-05, First Circuit	Settlement
24		<hr/>
25		
26	SUBTOTAL:	\$ 60,000.00
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28	TOTAL (SECTION 3)	\$ 60,000.00
29		

30 The sum appropriated shall be expended by the department of
31 transportation, airports division, for the purposes of this Act.



1 PART IV

2 SECTION 4. The sums hereinabove may be paid to the
3 respective persons, or for the satisfaction or settlement of the
4 respectively identified cases, and in several amounts
5 hereinabove set forth or in lesser amounts deemed appropriate,
6 upon checks issued by the comptroller; provided that departments
7 shall obtain the approval of the attorney general before payment
8 of any claim can be made.

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

15 SECTION 6. All unexpended and unencumbered balances of the
16 appropriations made in this Act as of the close of business on
17 June 30, 2013, shall lapse.

18 SECTION 7. If any provision of this Act, or the
19 application thereof to any person or circumstance is held
20 invalid, the invalidity does not affect other provisions or
21 applications of the Act, which can be given effect without the



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

3 SECTION 8. This Act shall take effect upon its approval.



Report Title:

Appropriations; Claims Against State

Description:

Makes appropriations for claims against the State or its officers or employees. (SD1)

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

