



GOV. MSG. NO. 683

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

July 7, 2010

The Honorable Colleen Hanabusa, President  
And Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

Re: Senate Bill No. 2469 SD2 HD2 CD1

On July 6, 2010, Senate Bill No. 2469, entitled "A Bill for an Act Relating to the Emergency and Budget Reserve Fund" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to appropriate a total of \$23,717,136 from the Emergency and Budget Reserve Fund (EBRF) to 42 state programs or non-profit organizations to maintain various programs in fiscal year 2010-2011.

Although I understand the intent of this measure, the State continues to face a precarious fiscal future. It is unlikely State revenues will reach pre-recession levels until 2012 and prudent fiscal management requires the State to retain its reserves in the event serious financial or non-financial emergencies occur during the interim.

While I am allowing this bill to become law without my signature, it is important to note that each appropriation must still be scrutinized by the designated expending agency as well as the Department of Budget and Finance prior to the release of funds. I have instructed the Departments to not take actions to consider any of the proposed appropriations in this bill until after the first quarter of FY 2011 is completed and updated Council on Revenues estimates are available.

The Honorable Colleen Hanabusa, President  
And Members of the Senate  
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For the foregoing reasons, I allowed Senate Bill No. 2469 to become law as Act 191, effective July 6, 2010, without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linda Lingle', with a stylized, flowing script.

LINDA LINGLE

## A BILL FOR AN ACT

RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.

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

SECTION 1. . The legislature finds that the national and global economic crisis that began in the second half of 2008 has caused significant economic problems in numerous industries in the state, including the airline, cruise ship, tourist, and construction industries. Mass layoffs have been reported by an increasing number of Hawaii businesses statewide, from the agricultural sector to the medical-services sector. Hawaii's automobile dealers have cut fifteen per cent of their workforce, and that percentage could double in the future. Financial uncertainty has led to fewer visitor arrivals and lower hotel occupancy rates, resulting in layoffs and reductions in employee hours. Furthermore, recent forecasts show that the situation will worsen with a continued decline in employment, personal income, and visitor arrivals, as well as rising inflation.

Difficult economic times and declining tax revenues have resulted in budget cuts for all state services. State departments have been asked to lower their budget proposals by up to twenty per cent. The department of education faces a



1 possible \$100,000,000 shortfall for the next academic year and  
2 funding has been discontinued for science textbooks and  
3 materials, literacy training programs for learning-disabled  
4 children, as well as for speech pathologists, occupational and  
5 physical therapists, and more than two hundred other positions.

6 The department of health has projected a \$25,000,000  
7 shortfall for mental health services in the current fiscal year.  
8 Funding has been eliminated for the healthy start program,  
9 totaling approximately \$22,000,000 for the biennium.  
10 Additionally, the governor has discontinued funding for the  
11 Hawaii children's health care program, which may leave an  
12 estimated one thousand five hundred gap group children without  
13 access to affordable health care.

14 The current and impending situation jeopardizes the safety  
15 net of basic human services, health, and education needs for  
16 Hawaii's residents and families. While all of Hawaii's  
17 residents will be affected by the situation, gap group families  
18 and families closest to the poverty line will suffer the most.

19 Senate informational briefings were held in August and  
20 September 2009 to gather information on the potential statewide  
21 impacts of the anticipated reduction in health and human



1 services. The following information regarding the impacts of  
2 the budget cuts was presented at the briefings:

3 (1) Hawaii's receipt of a \$323,000 federal grant from the  
4 Environmental Protection Agency through the Clean  
5 Water Act would be in jeopardy;

6 (2) Against the backdrop of a doubling of the number of  
7 homeless people in the years 1997 to 2009, the Hawaii  
8 Housing Authority's homeless program's branch  
9 indicated that the cuts would eliminate five of nine  
10 staff positions and would put Hawaii's receipt of  
11 \$16,650,000 in federal Department of Housing and Urban  
12 Development moneys in jeopardy;

13 (3) The deaf and hearing impaired fear the loss of  
14 assistance and specialized vocational training; and

15 (4) Cuts in youth services would increase gang violence,  
16 increase the number of youth in detention facilities,  
17 and take away services for abused and homeless  
18 children.

19 It has also been reported in the media that the budget cuts will  
20 reduce services for individuals with mental illness and  
21 disabilities and children. For example, the Healthy Start child  
22 abuse prevention program was allotted \$10,000,000 in the



1 2008-2009 state budget and was dropped completely from the  
2 2009-2010 budget.

3 Pursuant to Act 304, Session Laws of Hawaii 1999, the  
4 legislature established the emergency and budget reserve fund as  
5 a temporary supplemental source of funding for the State of  
6 Hawaii in times of emergency, economic downturn, or unforeseen  
7 reduction in revenues. As set forth in section 328L-3, Hawaii  
8 Revised Statutes, specific purposes for the fund include  
9 maintaining levels of programs determined to be essential to  
10 public health, safety, welfare, and education. Act 304 also  
11 included certain prohibitions on appropriations from the  
12 emergency and budget reserve fund. Appropriations for the  
13 following purposes are specifically prohibited:

- 14 (1) To meet expenses of the legislature;
- 15 (2) To provide for salary adjustments for officials  
16 appointed pursuant to article V, section 6 or article  
17 VI, section 3 of the Hawaii Constitution and for  
18 others whose salaries are directly related to salaries  
19 of these officials; and
- 20 (3) To fund cost items in any collective bargaining  
21 contract.



1       The legislature finds that expenditures from the emergency  
2 and budget reserve fund are needed to meet the conditions of  
3 emergency, economic downturn, and unforeseen reduction in  
4 revenues that the State currently faces. Further, the  
5 legislature finds that the appropriations in this Act are  
6 consistent with the purposes of the emergency and budget reserve  
7 fund.

8       Therefore, given the current economic crisis and  
9 concomitant budget deficit, the purpose of this Act is to  
10 appropriate moneys from the emergency and budget reserve fund of  
11 the State of Hawaii to maintain the levels of programs  
12 determined to be essential to education, public health, and  
13 public welfare.

14       SECTION 2. There is appropriated out of the emergency and  
15 budget reserve fund of the State of Hawaii the sum of \$200,000  
16 or so much thereof as may be necessary for fiscal year 2010-2011  
17 for respite services.

18       The sum appropriated shall be expended by the department of  
19 health for the purposes of this Act.

20       SECTION 3. There is appropriated out of the emergency and  
21 budget reserve fund of the State of Hawaii the sum of \$1,500,000



1 or so much thereof as may be necessary for fiscal year 2010-2011  
2 to supplement the healthy start program.

3 The sum appropriated shall be expended by the department of  
4 health for the purposes of this Act.

5 SECTION 4. There is appropriated out of the emergency and  
6 budget reserve fund of the State of Hawaii the sum of \$950,000  
7 or so much thereof as may be necessary for fiscal year  
8 2010-2011, to provide funding for grants pursuant to chapter  
9 42F, Hawaii Revised Statutes, to be distributed as follows:

10	(1) Catholic Charities Hawaii	\$350,000
11	(2) Kapahulu Center	\$300,000
12	(3) Moiliili Community Center	\$150,000
13	(4) Waikiki Community Center	\$150,000

14 The sum appropriated shall be expended by the department of  
15 health for the purposes of this Act.

16 SECTION 5. There is appropriated out of the emergency and  
17 budget reserve fund of the State of Hawaii the sum of \$3,000,000  
18 or so much thereof as may be necessary for fiscal year 2010-2011  
19 to provide additional funding for the kupuna care program. This  
20 funding shall be in addition to the fiscal year 2010-2011  
21 executive supplemental budget for the executive office on aging.





1 The sum appropriated shall be expended by the department of  
2 health for the purposes of this Act.

3 SECTION 6. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of \$100,000  
5 or so much thereof as may be necessary for fiscal year 2010-2011  
6 for the Aging and Disability Resource Center.

7 The sum appropriated shall be expended by the department of  
8 health for the purposes of this Act.

9 SECTION 7. There is appropriated out of the emergency and  
10 budget reserve fund of the State of Hawaii the sum of \$1,500,000  
11 or so much thereof as may be necessary for fiscal year 2010-2011  
12 for the developmental disabilities medicaid waiver program.

13 The sum appropriated shall be expended by the department of  
14 health for the purposes of this Act.

15 SECTION 8. There is appropriated out of the emergency and  
16 budget reserve fund of the State of Hawaii the sum of \$1,500,000  
17 or so much thereof as may be necessary for fiscal year  
18 2010-2011, for mental health services.

19 The sum appropriated shall be expended by the department of  
20 health for the purposes of this Act.

21 SECTION 9. There is appropriated out of the emergency and  
22 budget reserve fund of the State of Hawaii the sum of \$150,000



1 or so much thereof as may be necessary for fiscal year  
2 2010-2011, for the partnerships in community living program.

3 The sum appropriated shall be expended by the department of  
4 health for the purposes of this Act.

5 SECTION 10. There is appropriated out of the emergency and  
6 budget reserve fund of the State of Hawaii the sum of \$1,400,000  
7 or so much thereof as may be necessary for fiscal year 2010-  
8 2011, for substance abuse treatment.

9 The sum appropriated shall be expended by the department of  
10 health for the purposes of this Act.

11 SECTION 11. There is appropriated out of the emergency and  
12 budget reserve fund of the State of Hawaii the sum of \$125,000  
13 or so much thereof as may be necessary for fiscal year 2010-2011  
14 for the healthy aging partnerships program.

15 The sum appropriated shall be expended by the department of  
16 health for the purposes of this Act.

17 SECTION 12. There is appropriated out of the emergency and  
18 budget reserve fund of the State of Hawaii the sum of \$332,000  
19 or so much thereof as may be necessary for fiscal year 2010-2011  
20 for the Waianae District Comprehensive Health and Hospital  
21 Board, Incorporated to support its emergency room services.



1       The sum appropriated shall be expended by the department of  
2 health for the purposes of this Act.

3       SECTION 13. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of \$270,000  
5 or so much thereof as may be necessary for fiscal year 2010-2011  
6 for HIV/AIDS related services.

7       The sum appropriated shall be expended by the department of  
8 health for the purposes of this Act.

9       SECTION 14. There is appropriated out of the emergency and  
10 budget reserve fund of the State of Hawaii the sum of \$1,000,000  
11 or so much thereof as may be necessary for fiscal year 2010-2011  
12 to fund the development and implementation of a housing first  
13 pilot program, through a collaboration between the Hawaii public  
14 housing authority and the department of human services, for  
15 chronically homeless individuals, including those who have an  
16 addiction or mental illness, or both; provided that the Hawaii  
17 public housing authority, in collaboration with the department  
18 of human services shall submit a report to the legislature on  
19 the progress of the housing first pilot program no later than  
20 twenty days prior to the convening of the regular session of  
21 2011.



1       The sum appropriated shall be expended by the department of  
2 human services for the purposes of this Act.

3       SECTION 15. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of \$500,000  
5 or so much thereof as may be necessary for fiscal year 2010-2011  
6 for meals for the elderly for kupuna care.

7       The sum appropriated shall be expended by the department of  
8 health's executive office on aging for the purposes of this Act.

9       SECTION 16. There is appropriated out of the emergency and  
10 budget reserve fund of the State of Hawaii the sum of \$500,000  
11 or so much thereof as may be necessary for fiscal year 2010-2011  
12 for Kokua Kalihi Valley Comprehensive Family Services.

13       The sum appropriated shall be expended by the department of  
14 health for the purposes of this Act.

15       SECTION 17. There is appropriated out of the emergency and  
16 budget reserve fund of the State of Hawaii the sum of \$600,000  
17 or so much thereof as may be necessary for fiscal year 2010-2011  
18 to the Hawaii Medical Service Association for Keiki Care.

19       The sum appropriated shall be expended by the department of  
20 human services for the purposes of this Act.

21       SECTION 18. There is appropriated out of the emergency and  
22 budget reserve fund of the State of Hawaii the sum of \$200,000



1 or so much thereof as may be necessary for fiscal year 2010-2011  
2 for the Windward Oahu Spouse Abuse Shelter.

3 The sum appropriated shall be expended by the department of  
4 human services for the purposes of this Act.

5 SECTION 19. There is appropriated out of the emergency and  
6 budget reserve fund of the State of Hawaii the sum of \$200,000  
7 or so much thereof as may be necessary for fiscal year 2010-2011  
8 for the Blueprint for Change Program for Neighborhood Place  
9 Walk-in Centers.

10 The sum appropriated shall be expended by the department of  
11 human services for the purposes of this Act.

12 SECTION 20. There is appropriated out of the emergency and  
13 budget reserve fund of the State of Hawaii, the sum of \$550,000  
14 or so much thereof as may be necessary for fiscal year 2010-2011  
15 for the Hawaii immigrant health initiative program.

16 The sum appropriated shall be expended by the department of  
17 human services for the purposes of this Act.

18 SECTION 21. There is appropriated out of the emergency and  
19 budget reserve fund of the State of Hawaii the sum of \$762,500  
20 or so much thereof as may be necessary for fiscal year 2010-2011  
21 to support domestic violence shelters statewide.



1       The sum appropriated shall be expended by the department of  
2 human services for the purposes of this Act.

3       SECTION 22. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of \$210,000  
5 for fiscal year 2010-2011 for the Hale Mahaolu for personal care  
6 services.

7       The sum appropriated shall be expended by the department of  
8 human services for the purposes of this Act.

9       SECTION 23. There is appropriated out of the emergency and  
10 budget reserve fund of the State of Hawaii the sum of \$200,000  
11 or so much thereof as may be necessary for fiscal year 2010-2011  
12 for the shelter plus care program.

13       The sum appropriated shall be expended by the department of  
14 human services for the purposes of this Act.

15       SECTION 24. There is appropriated out of the emergency and  
16 budget reserve fund of the State of Hawaii for QUEST health care  
17 payments, the sum of \$2,000,000 or so much thereof as may be  
18 necessary for fiscal year 2010-2011 for the restoration of adult  
19 dental care formerly granted under program ID HMS 245 - QUEST  
20 health care payments; provided that the funds shall not be  
21 expended for any other purpose. The governor is authorized to  
22 utilize enhanced federal medical assistance percentages (FMAP)



1 funds to offset the amount appropriated, provided that the total  
2 amount shall not exceed \$2,000,000. Any unexpended funds shall  
3 lapse to their respective funds.

4 The department of human services shall prepare a report on:

5 (1) The number of adults receiving these benefits;

6 (2) The cost per person;

7 (3) Total breakdown of administrative costs and other  
8 overhead costs; and

9 (4) Statistics, if available, of how this dental program  
10 is reducing the number of emergency dental-related  
11 medical procedures;

12 provided further that the department of human services shall  
13 submit the report to the legislature no later than twenty days  
14 prior to the convening of the 2011 regular session.

15 The sum appropriated shall be expended by the department of  
16 human services for the purposes of this Act.

17 SECTION 25. There is appropriated out of the emergency and  
18 budget reserve fund of the State of Hawaii the sum of \$100,000  
19 or so much thereof as may be necessary for fiscal year 2010-2011  
20 for outstationed eligibility worker services.

21 The sum appropriated shall be expended by the department of  
22 human services for the purposes of this Act.



1       SECTION 26. There is appropriated out of the emergency and  
2 budget reserve fund of the State of Hawaii the sum of \$80,000 or  
3 so much thereof as may be necessary for fiscal year 2010-2011  
4 for outreach services.

5       The sum appropriated shall be expended by the department of  
6 human services for the purposes of this Act.

7       SECTION 27. There is appropriated out of the emergency and  
8 budget reserve fund of the State of Hawaii the sum of \$44,636 or  
9 so much thereof as may be necessary for fiscal year 2010-2011  
10 for outreach services to locate uninsured children.

11       The sum appropriated shall be expended by the department of  
12 human services for the purposes of this Act.

13       SECTION 28. There is appropriated out of the emergency and  
14 budget reserve fund of the State of Hawaii the sum of \$800,000  
15 or so much thereof as may be necessary for fiscal year 2010-2011  
16 for child care subsidies.

17       The sum appropriated shall be expended by the department of  
18 human services for the purposes of this Act.

19       SECTION 29. There is appropriated out of the emergency and  
20 budget reserve fund of the State of Hawaii the sum of \$1,000,000  
21 or so much thereof as may be necessary for fiscal year 2010-2011  
22 for the general assistance program under section 346-71, Hawaii





1 Revised Statutes, to restore the general assistance benefit  
2 amount to \$450 per person per month or as close to \$450 per  
3 person per month as possible, given the monthly caseload.

4 The sum appropriated shall be expended by the department of  
5 human services for the purposes of this Act.

6 SECTION 30. There is appropriated out of the emergency and  
7 budget reserve fund of the State of Hawaii the sum of \$200,000  
8 or so much thereof as may be necessary for fiscal year 2010-2011  
9 to Adult Friends for Youth for youth gang prevention and  
10 intervention services.

11 The sum appropriated shall be expended by the department of  
12 human services for the purposes of this Act.

13 SECTION 31. There is appropriated out of the emergency and  
14 budget reserve fund of the State of Hawaii the sum of \$1,000,000  
15 or so much thereof as may be necessary for fiscal year 2010-2011  
16 for domestic violence services.

17 The sum appropriated shall be expended by the judiciary for  
18 the purposes of this Act.

19 SECTION 32. There is appropriated out of the emergency and  
20 budget reserve fund of the State of Hawaii the sum of \$200,000  
21 or so much thereof as may be necessary for fiscal year 2010-2011



1 for Volunteer Legal Services Hawaii to provide pro bono legal  
2 services for indigent persons.

3 The sum appropriated shall be expended by the judiciary for  
4 the purposes of this Act.

5 SECTION 33. There is appropriated out of the emergency and  
6 budget reserve fund of the State of Hawaii the sum of \$720,000  
7 or so much thereof as may be necessary for fiscal year 2010-2011  
8 for the Legal Aid Society of Hawaii to provide general civil  
9 legal services.

10 The sum appropriated shall be expended by the judiciary for  
11 the purposes of this Act.

12 SECTION 34. There is appropriated out of the emergency and  
13 budget reserve fund of the State of Hawaii the sum of \$282,000  
14 or so much thereof as may be necessary for fiscal year 2010-2011  
15 for the Hawaii Family Law Clinic to provide services to obtain  
16 temporary restraining orders.

17 The sum appropriated shall be expended by the judiciary for  
18 the purposes of this Act.

19 SECTION 35. There is appropriated out of the emergency and  
20 budget reserve fund of the State of Hawaii the sum of \$150,000  
21 or so much thereof as may be necessary for fiscal year 2010-2011



1 for Catholic Charities Hawaii to provide intra-familial sex  
2 assault services.

3 The sum appropriated shall be expended by the judiciary for  
4 the purposes of this Act.

5 SECTION 36. There is appropriated out of the emergency and  
6 budget reserve fund of the State of Hawaii the sum of \$150,000  
7 or so much thereof as may be necessary for fiscal year 2010-2011  
8 for the Children's Alliance of Hawaii, Inc. to provide child sex  
9 assault services.

10 The sum appropriated shall be expended by the judiciary for  
11 the purposes of this Act.

12 SECTION 37. There is appropriated out of the emergency and  
13 budget reserve fund of the State of Hawaii the sum of \$400,000  
14 or so much thereof as may be necessary for fiscal year 2010-2011  
15 to the Office of Community Services for employment core  
16 services.

17 The sum appropriated shall be expended by the department of  
18 labor and industrial relations for the purposes of this Act.

19 SECTION 38. There is appropriated out of the emergency and  
20 budget reserve fund of the State of Hawaii the sum of \$75,000 or  
21 so much thereof as may be necessary for fiscal year 2010-2011 to  
22 the YMCA of Honolulu for the Weed and Seed Program.



1 The sum appropriated shall be expended by the department of  
2 labor and industrial relations for the purposes of this Act.

3 SECTION 39. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of \$466,000  
5 or so much thereof as may be necessary for fiscal year 2010-2011  
6 for the Kapiolani Medical Center for Women and Children for the  
7 sex abuse treatment center for statewide sex assault services.

8 The sum appropriated shall be expended by the department of  
9 the attorney general for the purposes of this Act.

10 SECTION 40. There is appropriated out of the emergency and  
11 budget reserve fund of the State of Hawaii the sum of \$300,000  
12 or so much thereof as may be necessary for fiscal year 2010-2011  
13 for the Families for R.E.A.L. program.

14 The sum appropriated shall be expended by the department of  
15 education for the purposes of this Act.

16 SECTION 41. This Act shall take effect on July 1, 2010.

17

APPROVED this                      day of                      , 2010

GOVERNOR OF THE STATE OF HAWAII