



GOV. MSG. NO. 1384

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 12, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

I am transmitting herewith HB1147 SD1 CD1, without my approval and with the statement of objections relating to the measure.

HB1147 SD1 CD1

RELATING TO THE STATE BUDGET.

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

EXECUTIVE CHAMBERS

HONOLULU

July 12, 2022

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1147

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 1147, entitled "A Bill for an Act Relating to the State Budget."

The purposes of this bill are to:

1. Appropriate general funds for the fiscal year 2022-2023 to the Department of Business, Economic Development, and Tourism;
2. Appropriate special funds for fiscal year 2022-2023 out of the Convention Center Enterprise Special Fund; and
3. Appropriate general funds for fiscal year 2022-2023 to the University of Hawaii.

This bill is objectionable because, pursuant to League of Women Voters of Honolulu v. State, 150 Hawai'i 182, 499 P.3d 382 (2021), it suffers from a germaneness problem, as the bill has been changed substantially from its original form to its final form in Conference Draft 1.

The original form of this bill was to appropriate moneys for capital improvement projects for the fiscal biennium 2021-2023. In Conference Draft 1, the bill was amended to delete the capital improvement projects and in its place, inserted operating appropriations for various State agencies. We note that this amendment does not fall outside the scope of the subject of the bill as expressed by its title, "Relating to the State Budget." However, this amendment fundamentally changes the original bill's general purpose, which was to appropriate moneys for capital improvement projects.

STATEMENT OF OBJECTIONS
HOUSE BILL NO. 1147
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For the foregoing reasons, I am returning House Bill No. 1147 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is fluid and cursive, with a large, sweeping flourish at the end.

DAVID Y. IGE
Governor of Hawai'i

ORIGINAL

VETO

HOUSE OF REPRESENTATIVES
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

H.B. NO. 1147
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO THE STATE BUDGET.

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

1 SECTION 1. SHORT TITLE. This Act shall be known and may
2 be cited as the Adscititious Supplemental Appropriations Act of
3 2022.

4 SECTION 2. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$190,588 or so much
6 thereof as may be necessary for fiscal year 2022-2023 and one
7 temporary position.

8 The sum appropriated shall be expended by the department of
9 business, economic development, and tourism (BED144).

10 SECTION 3. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$60,000,000 or so
12 much thereof as may be necessary for fiscal year 2022-2023 and
13 twenty-six temporary positions.

14 The sum appropriated shall be expended by the department of
15 business, economic development, and tourism (BED113).



1 SECTION 4. There is appropriated out of the convention
2 center enterprise special fund the sum of \$28,500,000 or so much
3 thereof as may be necessary for fiscal year 2022-2023.

4 The sum appropriated shall be expended by the department of
5 business, economic development, and tourism (BED113).

6 SECTION 5. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$100,000 or so much
8 thereof as may be necessary for fiscal year 2022-2023.

9 The sum appropriated shall be expended by the university of
10 Hawaii (UOH100).

11 SECTION 6. Notwithstanding any law to the contrary,
12 provided that the funds appropriated in this Act may be
13 transferred with the approval of the governor to the
14 Supplemental Appropriations Act of 2022 (House Bill No. 1600,
15 H.D. 1, S.D. 2, C.D. 1), for program execution and expenditure.

16 SECTION 7. Provided that, notwithstanding any provision
17 contained in the General Appropriations Act of 2019 that
18 appropriates funds and establishes position ceilings, the
19 positions authorized in section 3 shall be in addition to the
20 positions authorized for that program under the General



1 Appropriations Act of 2019; provided further that any incumbent
2 employee shall retain the employee's:

3 (1) Civil service status, whether permanent or temporary;
4 and

5 (2) Salary, seniority (except as may be prescribed by
6 applicable collective bargaining agreement), retention
7 points, prior service credit, any vacation and sick
8 leave credits previously earned, and other rights,
9 benefits, and privileges, in accordance with state
10 personnel laws.

11 SECTION 8. If any portion of this Act or its application
12 to any person, entity, or circumstance is held to be invalid for
13 any reason, the legislature declares that the remainder of the
14 Act and each and every other provision thereof shall not be
15 affected thereby. If any portion of a specific appropriation is
16 held to be invalid for any reason, the remaining portion shall
17 be expended to fulfill the objective of the appropriation to the
18 extent possible.

19 SECTION 9. If manifest clerical, typographical, or other
20 mechanical errors are found in this Act, the governor is hereby
21 authorized to correct the errors.



HB No. 1147, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 5, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 5, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.


President of the Senate


Clerk of the Senate