

ACT 154

S.B. NO. 1491

A Bill for an Act Relating to State Government.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to make various appropriations for fiscal year 2004-2005.

SECTION 2. Act 200, Session Laws of Hawaii 2003, is amended by amending item F-32 of section 3 to read:

“HHL602 - PLANNING, DEVELOPMENT, MANAGEMENT, AND GENERAL SUPPORT FOR HAWAIIAN HOMESTEADS

		29.00*	[29.00* 18.00*
OPERATING	HHL	1,297,007A	[1,277,007A 775,293A
		89.00*	[89.00* 100.00*
	HHL	7,115,343B	[7,172,586B 7,847,893B
INVESTMENT CAPITAL	HHL	600,000C	C”

SECTION 3. Provided that no state funds appropriated for fiscal year 2004-2005 to purchase the one thousand one hundred and twenty-nine acre property on the north shore of Oahu bordered by Paumalu gulch, Pupukea-Paumalu forest reserve, and Kalunawaikaala gulch and stream shall be made available unless matched by:

- (1) The federal government on a 2:1 (federal/state) basis; and
- (2) The city and county of Honolulu on a 1:1 (county/state) basis.

SECTION 4. Provided that of the revolving fund appropriations for University of Hawaii, Manoa (UOH 100), the sum of \$2,531,561 for fiscal year 2004-2005 shall be used for the operations of the new medical school campus at Kakaako and the new Kakaako university health science library; provided further that the university may use funds from the research and training revolving fund or any other revolving fund of the University of Hawaii to provide for these expenses.

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Filipino Centennial Celebration Commission.

The sum appropriated shall be expended by the ethnic group presentations program of the department of accounting and general services for the purposes of this section.

SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$25,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Friends of Waipahu Cultural Garden Park.

The sum appropriated shall be expended by the performing and visual arts events program of the department of accounting and general services for the purposes of this section.

SECTION 7. There is appropriated out of the general revenues of the State of Hawaii the sum of \$150,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Maui Community Arts and Cultural Center.

The sum appropriated shall be expended by the performing and visual arts events program of the department of accounting and general services for the purposes of this section.

SECTION 8. There is appropriated out of the general revenues of the State of Hawaii the sum of \$50,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Chamber of Commerce of Hawaii for its Military Affairs Council.

The sum appropriated shall be expended by the business development and marketing program of the department of business, economic development, and tourism for the purposes of this section.

SECTION 9. There is appropriated out of the general revenues of the State of Hawaii the sum of \$20,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the 442nd RCT Foundation.

The sum appropriated shall be expended by the services to veterans program of the department of defense for the purposes of this section.

SECTION 10. There is appropriated out of the general revenues of the State of Hawaii the sum of \$50,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Waikoloa Community Based Substance Abuse Rehabilitation and Recovery Program.

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The sum appropriated shall be expended by the alcohol and drug abuse program of the department of health for the purposes of this section.

SECTION 11. There is appropriated out of the general revenues of the State of Hawaii the sum of \$50,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Legal Aid Society of Hawaii.

The sum appropriated shall be expended by the judiciary for the purposes of this section.

SECTION 12. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Hawaii County Economic Opportunity Council.

The sum appropriated shall be expended by the office of community services of the department of labor and industrial relations for the purposes of this section.

SECTION 13. There is appropriated out of the general revenues of the State of Hawaii the sum of \$117,901 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to Kauai Economic Opportunity, Inc.

The sum appropriated shall be expended by the office of community services of the department of labor and industrial relations for the purposes of this section.

SECTION 14. There is appropriated out of the general revenues of the State of Hawaii the sum of \$20,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to Assistive Technology Resource Centers of Hawaii.

The sum appropriated shall be expended by the office of community services of the department of labor and industrial relations for the purposes of this section.

SECTION 15. There is appropriated out of the general revenues of the State of Hawaii the sum of \$300,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to ORI Anuenue Hale, Inc.

The sum appropriated shall be expended by the office of community services of the department of labor and industrial relations for the purposes of this section.

SECTION 16. There is appropriated out of the general revenues of the State of Hawaii the sum of \$25,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Volunteer Resource Center of Hawaii.

The sum appropriated shall be expended by the office of community services of the department of labor and industrial relations for the purposes of this section.

SECTION 17. There is appropriated out of the general revenues of the State of Hawaii the sum of \$50,000 or so much thereof as may be necessary for fiscal year 2004-2005 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to Aha Hui E Kala.

The sum appropriated shall be expended by the parks administration program of the department of land and natural resources for the purposes of this section.

SECTION 18. There is appropriated out of federal funds the sum of \$59,232 or so much thereof as may be necessary for fiscal year 2004-2005 for two temporary

plant quarantine inspector I (dog handler) positions for brown tree snake interdiction (AGR 122 - plant, pest, and disease control).

The sum appropriated shall be expended by the department of agriculture for the purposes of this section.

SECTION 19. There is appropriated out of interdepartmental transfer funds the sum of \$29,616 or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent plant quarantine inspector I (dog handler) position to meet the requirements of the record of decision for Kahului airport expansion (AGR 122 - plant, pest, and disease control).

The sum appropriated shall be expended by the department of agriculture for the purposes of this section.

SECTION 20. There is appropriated out of:

- (1) The irrigation system revolving fund the sum of \$10,546; and
- (2) The agricultural park special fund the sum of \$10,546,

or so much thereof as may be necessary for fiscal year 2004-2005 for one temporary clerk typist II position (.50 FTE per means of financing) required for the operation of the irrigation systems and agricultural park programs (AGR 141 - agricultural resource management).

The sums appropriated shall be expended by the department of agriculture for the purposes of this section.

SECTION 21. There is appropriated out of the certification services revolving fund the sum of \$74,052 or so much thereof as may be necessary for fiscal year 2004-2005 for three temporary agricultural commodity aid I positions relating to seed certification and papaya export certification (AGR 151 - quality and price assurance).

The sum appropriated shall be expended by the department of agriculture for the purposes of this section.

SECTION 22. There is appropriated out of the public utilities commission special fund the sum of \$104,664 or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent engineer IV and one permanent investigator IV positions for the regulation of public utility service companies operating in the state (BUF 901 - transportation, communications, and utilities).

The sum appropriated shall be expended by the department of budget and finance for the purposes of this section.

SECTION 23. There is appropriated out of the compliance resolution fund the sum of \$1,891,438 or so much thereof as may be necessary for fiscal year 2004-2005 for four permanent positions and for other current expenses to operate the program (CCA 102 - cable television).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

SECTION 24. There is appropriated out of the compliance resolution fund the sum of \$2,473,837 or so much thereof as may be necessary for fiscal year 2004-2005 for twenty-three permanent positions and for other current expenses to operate the program (CCA 103 - consumer advocate for communication, utilities, and transportation services).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

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SECTION 25. There is appropriated out of the compliance resolution fund the sum of \$2,153,836 or so much thereof as may be necessary for fiscal year 2004-2005 for twenty-nine permanent positions and for other current expenses to operate the program (CCA 104 - financial institution services).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

SECTION 26. There is appropriated out of the compliance resolution fund the sum of \$7,315,818 or so much thereof as may be necessary for fiscal year 2004-2005 for seventy-six permanent positions and for other current expenses to operate the program (CCA 106 - insurance regulatory services).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

SECTION 27. There is appropriated out of the compliance resolution fund the sum of \$1,348,447 or so much thereof as may be necessary for fiscal year 2004-2005 for sixteen permanent and four temporary positions and for other current expenses to operate the program (CCA 110 - office of consumer protection – unfair and deceptive practices).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

SECTION 28. There is appropriated out of the compliance resolution fund the sum of \$5,477,813 or so much thereof as may be necessary for fiscal year 2004-2005 for seventy-one permanent and ten temporary positions and for other current expenses to operate the program (CCA 111 - business registration).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

SECTION 29. There is appropriated out of the compliance resolution fund the sum of \$5,197,764 or so much thereof as may be necessary for fiscal year 2004-2005 for seventeen permanent and fifty-one temporary positions and for other current expenses to operate the program (CCA 112 - regulated industries complaints office).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

SECTION 30. There is appropriated out of the compliance resolution fund the sum of \$4,820,442 or so much thereof as may be necessary for fiscal year 2004-2005 for forty permanent and nine temporary positions and for other current expenses to operate the program (CCA 191 - general support – protection of the consumer).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

SECTION 31. There is appropriated out of the compliance resolution fund the sum of \$60,960 or so much thereof as may be necessary for fiscal year 2004-2005 for increases in fringe benefit costs (CCA 105 - professional, vocational, and personal services).

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this section.

SECTION 32. There is appropriated out of federal funds the sum of \$367,548 or so much thereof as may be necessary for fiscal year 2004-2005 for two

permanent building maintenance helper, two permanent truck driver, one permanent plumber I, one permanent carpenter I, one permanent general construction maintenance supervisor, two permanent building maintenance worker II, one permanent automotive mechanic I, one permanent electrician I, and one permanent social services aid III positions for the operation and maintenance of public housing (HMS 220 - rental housing services).

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

SECTION 33. There is appropriated out of the state low income housing revolving fund the sum of \$125,340 or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent building maintenance helper, one permanent general construction maintenance supervisor I, one permanent procurement and supply specialist III, and one permanent general laborer II positions for the operation and maintenance of public housing (HMS 220 - rental housing services).

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

SECTION 34. There is appropriated out of federal funds the sum of \$222,336 or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent engineer IV, one permanent building construction inspector II, one permanent building engineer V, one permanent state housing development administrator, and one temporary housing development specialist I positions for facilities development of affordable housing (HMS 225 - private housing development and ownership).

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

SECTION 35. There is appropriated out of the private housing development and ownership revolving fund the sum of \$110,532 or so much thereof as may be necessary for fiscal year 2004-2005 for one temporary housing development specialist III and one temporary housing development specialist II positions for facilities development of affordable housing (HMS 225 - private housing development and ownership).

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

SECTION 36. There is appropriated out of revolving funds the sum of \$142,044 or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent housing loan services officer, three permanent clerk typist II, and one temporary loan processing assistant I positions for the operation and delivery of affordable housing (HMS 227 - housing finance).

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

SECTION 37. There is appropriated out of federal funds the sum of \$162,516 or so much thereof as may be necessary for fiscal year 2004-2005 for six permanent positions to adjudicate and process disability claims of Hawaii residents for social security disability insurance and social security income (HMS 238 - disability determination).

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

SECTION 38. There is appropriated out of:

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(1) The general revenues of the State of Hawaii the sum of \$45,144; and
(2) Federal funds the sum of \$45,144,
or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent registered professional nurse V (\$33,294 in general funds and \$33,294 in federal funds) and one permanent social service assistant IV (\$11,850 in general funds and \$11,850 in federal funds) positions for the delivery of adult medical services (HMS 601 - adult and community care services branch).

The sums appropriated shall be expended by the department of human services for the purposes of this section.

SECTION 39. There is appropriated out of the general revenues of the State of Hawaii the sum of \$114,293 or so much thereof as may be necessary for fiscal year 2004-2005 for one .50 temporary health care financing assistant, two .50 permanent eligibility program specialist, one permanent .50 eligibility worker III, one permanent .50 account clerk II, one permanent .25 regular professional nurse VI, one temporary .50 clerk typist II, and two permanent .50 clerk typist II positions for the assistance of medical payments (HMS 902 - general support for health care payments).

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

SECTION 40. There is appropriated out of federal funds the sum of \$141,077 or so much thereof as may be necessary for fiscal year 2004-2005 for one .50 temporary health care financing assistant, two .50 permanent eligibility program specialist, one permanent .50 eligibility worker III, one permanent .50 account clerk II, one permanent .75 regular professional nurse VI, one temporary .50 clerk typist II, and two permanent .50 clerk typist II positions for the assistance of medical payments (HMS 902 - general support for health care payments).

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

SECTION 41. There is appropriated out of the general revenues of the State of Hawaii the sum of \$71,722 or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent data processing systems analyst IV and one permanent computer programmer V positions for operational support (HMS 904 - general administration).

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

SECTION 42. There is appropriated out of the Hawaiian home administration account the sum of \$675,307 \$0' or so much thereof as may be necessary for fiscal year 2004-2005 for one private secretary III, one supervising land agent, one secretary III, one mortgage loan specialist, one commission chair, one engineer VI, two homestead assistant II, one accountant III, one heavy equipment operator, and one clerk typist III positions (HHL 602 - planning, development, management, and general support for Hawaiian homesteads).

The sum appropriated shall be expended by the department of Hawaiian home lands for the purposes of this section.

SECTION 43. There is appropriated out of federal funds the sum of \$149,892 or so much thereof as may be necessary for fiscal year 2004-2005 for 4.50 permanent workforce development specialist positions to provide services to persons seeking employment, job training, and job development services (LBR 111 - placement services).

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

SECTION 44. There is appropriated out of the employment and training fund the sum of \$69,269 or so much thereof as may be necessary for fiscal year 2004-2005 for two temporary workforce development positions to assist employers by developing training programs to upgrade the skills of employees (LBR 111 - placement services).

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

SECTION 45. There is appropriated out of:

(1) Federal funds the sum of \$74,214; and

(2) The general revenues of the State of Hawaii the sum of \$74,214,

or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent environmental health specialist, one permanent occupational safety and health program specialist, and one permanent occupational safety and health advisor positions to provide services to employers that are aimed at promoting safety in the workplace (LBR 143 - occupational safety and health).

The sums appropriated shall be expended by the department of labor and industrial relations for the purposes of this section.

SECTION 46. There is appropriated out of federal funds the sum of \$198,639 or so much thereof as may be necessary for fiscal year 2004-2005 for 5.25 permanent unemployment insurance specialist, one permanent auditor, one permanent clerk typist, and .50 permanent clerk positions to meet workload increases and provide timely unemployment benefits (LBR 171 - unemployment compensation).

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

SECTION 47. There is appropriated out of federal funds the sum of \$133,788 or so much thereof as may be necessary for fiscal year 2004-2005 for two permanent research statistician, one permanent statistics clerk, and one permanent clerk typist positions to meet federal reporting requirements for research and statistical reports (LBR 901 - DLIR - data gathering, research, and analysis).

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

SECTION 48. There is appropriated out of federal funds the sum of \$99,954 or so much thereof as may be necessary for fiscal year 2004-2005 for 2.16 permanent data processing systems analyst and .54 permanent clerk typist positions to provide the federal match for positions to implement and support information technology projects for the department (LBR 902 - general administration).

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

SECTION 49. There is appropriated out of federal funds the sum of \$70,056 or so much thereof as may be necessary for fiscal year 2004-2005 for one temporary accountant and three temporary clerk positions for activities related to the accounting of federal fund expenditures (LBR 902 - general administration).

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

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SECTION 50. There is appropriated out of federal funds the sum of \$53,376 or so much thereof as may be necessary for fiscal year 2004-2005 for one permanent program specialist position for the delivery of services to the economically disadvantaged, immigrants, and refugees (LBR 903 - office of community services).

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

SECTION 51. If any provision of this Act, or the application thereof to any person or circumstance 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 52. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 53. This Act shall take effect upon its approval.

(Approved June 30, 2004.)

Note

1. Item vetoed, replaced, and initialed "LL" on July 13, 2004.