

ACT 66

H.B. NO. 1370

A Bill for an Act Making an Emergency Appropriation to the Department of Health for the Adult Mental Health Division.

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

SECTION 1. This Act is recommended for immediate passage in accordance with section 9 of Article VII of the Constitution of the State of Hawaii.

SECTION 2. Although funds were appropriated to the department of health for adult mental health services for the fiscal period beginning July 1, 2006, and ending June 30, 2007, a funding emergency now exists. The program will expend all appropriated funds before the end of the current fiscal year, and the department will be unable to meet its fiscal obligation to provide services to certain adults with severe mental illness.

Over the past four fiscal years, the adult mental health division has served an increasing number of eligible mental health consumers and has provided an increased number of crisis outreach, eligibility determination, homeless outreach, and jail diversion services. This emergency appropriation is to continue existing services to meet the needs of the expanding eligible population and to continue funding of required services developed during the fiscal year. This increase in services and the number of consumers served resulted first from the settlement agreement and subsequent orders in *United States of America v. State of Hawaii*, Civil Number 91-00137 (DAE/KSC) and continues in response to the need for the public mental health services that the adult mental health division provides.

The purpose of this Act is to appropriate emergency funds for ongoing services of the adult mental health division.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$8,377,698 or so much thereof as may be necessary for fiscal year 2006-2007 for ongoing services provided by the adult mental health division.

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

SECTION 4. In accordance with section 9 of Article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the general fund expenditure ceiling for fiscal year 2006-2007 (established at \$5,357,987,705 on November 8, 2006) has already been exceeded by \$90,137,694 or 1.68 per cent. The appropriations contained in this Act will cause the state general fund expenditure ceiling for fiscal year 2006-2007 to be exceeded by an additional \$8,377,698, or an additional 0.156 per cent. The calculation contained in the foregoing sentence relates only to the amount of general funds appropriated in this Act for fiscal year 2006-2007. The reasons for exceeding the general fund expenditure ceiling are that the appropriations made in this Act are necessary to serve the public interest and to meet the needs provided for by this Act.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 9, 2007.)