

ACT 67

H.B. NO. 1364

A Bill for an Act Relating to the Budget.

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

PART I

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

SECTION 2. The purpose of this part is to amend Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, to:

- (1) Appropriate federal funds to various programs that are expected to receive funding during fiscal year 2008-2009 under the federal American Recovery and Reinvestment Act of 2009, P. L. 111-5 (Recovery Act), to promote openness and transparency in use of the funds for fiscal year 2008-2009;
- (2) Correspondingly reduce general fund appropriations for certain programs that receive offsetting federal funding for fiscal year 2008-2009 under the Recovery Act to address the general fund revenue shortfall for fiscal year 2008-2009;

- (3) Appropriate additional federal Temporary Assistance for Needy Families funds for fiscal year 2008-2009 that the State recently qualified for under the federal Deficit Reduction Act of 2005 as required by federal regulations;
- (4) Appropriate emergency and budget reserve funds for fiscal year 2008-2009 to the adult mental health - outpatient program (HTH 420) to meet program requirements; and
- (5) Appropriate emergency and budget reserve funds for fiscal year 2008-2009 to the Hawaii health systems corporation program (HTH 210) to meet program requirements.

Many unprecedented events have converged to create an economic, financial, and fiscal environment that threatens the very foundation of our national economy. For state governments, the financial crisis and economic downturn have adversely affected tax revenues and budgets. The impact on Hawaii has been a severe reduction in projected general fund revenues for fiscal year 2008-2009 through fiscal biennium 2009-2011 by \$2.1 billion over the period of one year. Based on the council on revenues' March 2009 projections, the State is faced with a general fund revenue shortfall of \$430,500,000 in fiscal year 2008-2009 if corrective action is not taken.

The Recovery Act was enacted to provide a necessary boost to the United States economy and to help struggling states in these difficult times. Two provisions, in particular, directly help states by making available federal funding that can be used as replacement for state general revenues for education and medicaid.

Title V, State Fiscal Relief, of the Recovery Act temporarily increases the federal medical assistance percentage that permits states to reduce their share of medicaid costs. Preliminary calculations under the new, temporary Title V federal medical assistance percentage formula indicate that Hawaii would receive an additional \$315,800,000 in federal funds over the period from fiscal year 2008-2009 through 2010-2011. In fiscal year 2008-2009, the increased federal medical assistance percentage funding would amount to \$106,800,000, which can be used to offset fiscal year 2008-2009 general fund appropriations of:

- (1) The health care payments program (HMS 401) of the department of human services;
- (2) The developmental disabilities program (HTH 501) and child and adolescent mental health program (HTH 460) of the department of health; and
- (3) The comprehensive student support services program (EDN 150) of the department of education.

The Recovery Act also temporarily increases federal support to states for:

- (1) Energy initiatives through allocations in the strategic industries program (BED 120) of the department of business, economic development, and tourism for state energy programs and energy efficiency and conservation block grants;
- (2) Water systems development through allocations in the agricultural resource management program (AGR 141) of the department of agriculture for capital improvements;
- (3) Unemployment insurance through increased allocations in the unemployment insurance program (LBR 171) of the department of labor and industrial relations for increased unemployment insurance benefit payments;
- (4) Vocational rehabilitation through increased allocations in the vocational rehabilitation program (HMS 802) of the department of

- human services for vocational rehabilitation and independent living programs;
- (5) Transportation through increased allocations in:
 - (A) The Hawaii highways program (TRN 511) and Kauai highways program (TRN 561) of the department of transportation for highway special maintenance;
 - (B) The Oahu highways program (TRN 501) and highways administration program (TRN 595) of the department of transportation for capital improvements; and
 - (C) The Honolulu international airport program (TRN 102), Kahului airport program (TRN 131), and airports administration program (TRN 195) of the department of transportation for capital improvements;
 - (6) Social services through increased allocations in:
 - (A) The general support for child care program (HMS 302);
 - (B) The child protective services payments program (HMS 303);
 - (C) The cash support for child care program (HMS 305); and
 - (D) The general support for self sufficiency services program (HMS 903),
of the department of human services for payments to eligible clients and associated program expenditures;
 - (7) Public housing through increased allocations in:
 - (A) The rental housing services program (HMS 220) of the department of human services for public housing capital improvements; and
 - (B) The homeless services program (HMS 224) of the department of human services for non-routine repairs and maintenance of the public housing inventory and homeless prevention initiatives;
 - (8) Native Hawaiian homesteads through allocations in the planning and development for the Hawaiian homesteads program (HHL 602) of the department of Hawaiian home lands for capital improvements;
 - (9) Support for elders through increased allocations in the executive office on aging (HTH 904) for congregate meals and home-delivered meals; and
 - (10) Education through increased allocations in:
 - (A) The comprehensive student support services program (EDN 150) of the department of education for No Child Left Behind Title I grants, Individuals with Disabilities Education Act part B grants, Individuals with Disabilities Education Act part B preschool grants; and
 - (B) The school support program (EDN 400) of the department of education for the National School Lunch program.

The federal Deficit Reduction Act of 2005 authorizes an enhanced level of federal Temporary Assistance for Needy Families funding if a state qualifies as a "needy state" in terms of high food stamp case loads. Hawaii recently qualified as a "needy state" and is eligible to receive enhanced federal funding for fiscal year 2008-2009. However, federal regulations require that the State appropriate the Temporary Assistance for Needy Families funds before they can be used.

The increased federal medical assistance percentage funding for Medicaid correspondingly reduces general fund costs, thereby freeing up some general funds in fiscal year 2008-2009 for use to address increased program requirements in the adult mental health - outpatient program (HTH 420) and the Hawaii

health systems corporation program (HTH 210). Both of these programs provide critical health services to the public and are experiencing difficult challenges in meeting program requirements with their present level of funding.

The immediate passage of this Act is necessary to:

- (1) Promote openness and transparency in the use of Recovery Act funds for fiscal year 2008-2009;
- (2) Address the general fund revenue shortfall for fiscal year 2008-2009;
- (3) Authorize Temporary Assistance for Needy Families funds for fiscal year 2008-2009 as required by federal regulations; and
- (4) Meet fiscal year 2008-2009 program requirements of the adult mental health - outpatient program and the Hawaii health systems corporation program.

SECTION 3. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending the definition of “means of financing” in section 2 to read as follows:

““Means of financing” (or “MOF”) means the source from which funds are appropriated or authorized to be expended for the programs and projects specified in this Act. All appropriations are followed by letter symbols. Such letter symbols, where used, shall have the following meanings:

- A general funds
- B special funds
- C general obligation bond fund
- D general obligation bond fund with debt service cost to be paid from special funds
- E revenue bond funds
- J federal aid interstate funds
- K federal aid primary funds
- L federal aid secondary funds
- M federal aid urban funds
- N other federal funds
- R private contributions
- S county funds
- T trust funds
- U interdepartmental transfers
- V federal stimulus funds
- W revolving funds
- X other funds”

SECTION 4. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending items A.13 and A.18 in section 3 to read as follows:

A. ECONOMIC DEVELOPMENT

“13. AGR141 - AGRICULTURAL RESOURCE MANAGEMENT

		2.00 *	2.00 *
OPERATING	AGR	573,157 A	573,157 A
		6.00 *	8.00 *
	AGR	3,717,780 B	853,942 B
		13.00 *	13.00 *
	AGR	1,417,472 W	1,417,472 W
INVESTMENT CAPITAL	AGR	18,400,000 C	1,500,000 C
	AGR	1,500,000 N	1,500,000 N
	<u>AGR</u>		<u>2,350,000 V</u>

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18. BED120 - STRATEGIC INDUSTRIES

		9.00*	9.00*
OPERATING	BED	1,143,447 A	1,273,579 A
	BED	4,263,395 N	4,263,397 N
	BED	U	100,000 U
	<u>BED</u>	Y	<u>6,090,000 Y</u>

SECTION 5. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending items B.3 and B.6 in section 3 to read as follows:

B. EMPLOYMENT

"3. LBR171 - UNEMPLOYMENT INSURANCE PROGRAM

OPERATING	LBR	166,626,650 B	166,626,650 B
		207.50*	207.50*
	LBR	14,799,675 N	14,799,675 N
	<u>LBR</u>	Y	<u>34,000,000 Y</u>

6. HMS802 - VOCATIONAL REHABILITATION

OPERATING	HMS	4,084,904 A	4,085,181 A
		95.37*	95.37*
	HMS	12,949,367 N	13,775,679 N
	<u>HMS</u>	Y	<u>1,124,575 Y</u>
INVESTMENT CAPITAL	HMS	1,330,200 W	1,330,200 W
	HMS	250,000 C	C

SECTION 6. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending items C.28, C.32, and C.33 in section 3 to read as follows:

C. TRANSPORTATION FACILITIES

"28. TRN511 - HAWAII HIGHWAYS

OPERATING	TRN	24,490,830 B	22,960,942 B
	<u>TRN</u>		<u>11,000,000 Y</u>
INVESTMENT CAPITAL	TRN	400,000 B	B
	TRN	11,870,000 E	4,299,000 E
	TRN	43,280,000 N	10,801,000 N
	TRN	275,000 X	X

32. TRN561 - KAUAI HIGHWAYS

OPERATING	TRN	13,135,766 B	14,214,142 B
	TRN ²	Y	3,200,000 Y
INVESTMENT CAPITAL	TRN	6,700,000 E	9,900,000 E
	TRN	7,200,000 N	13,600,000 N

33. TRN595 - HIGHWAYS ADMINISTRATION

OPERATING	TRN	76,115,141 B	88,562,587 B
	TRN	3,655,940 N	4,417,330 N
INVESTMENT CAPITAL	TRN	18,575,000 B	18,000,000 B
	TRN	6,824,000 E	6,974,000 E
	TRN	12,902,000 N	26,501,000 N
	<u>TRN</u>	Y	<u>1,800,000 Y</u>

SECTION 7. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending items E.5, E.6, E.13, and E.16 in section 3 to read as follows:

E. HEALTH

“5. HTH501 - DEVELOPMENTAL DISABILITIES

		236.75*	236.75*
OPERATING	HTH	66,576,526 A	[71,625,299 A] <u>61,340,842 A</u>
		3.00*	3.00*
	HTH	1,025,331 B	1,025,331 B
	HTH	60,118,132 U	[64,264,776 U] <u>74,549,223 U</u>

6. HTH560 - FAMILY HEALTH

		171.75*	178.75*
OPERATING	HTH	45,263,183 A	[45,109,259 A] <u>44,841,749 A</u>
		7.00*	9.00*
	HTH	7,110,659 B	[7,376,539 B] <u>7,644,049 B</u>
		183.50*	182.50*
	HTH	41,946,810 N	42,099,682 N
		1.00*	1.00*
INVESTMENT CAPITAL	HTH	1,543,739 U	3,143,739 U
	HTH	C	400,000 C

13. HTH420 - ADULT MENTAL HEALTH - OUTPATIENT

		198.50*	198.50*
OPERATING	HTH	73,268,683 A	82,539,423 A
	HTH	22,382,981 B	[24,832,981 B] <u>28,199,510 B</u>
	HTH	1,643,030 N	1,643,030 N

16. HTH460 - CHILD AND ADOLESCENT MENTAL HEALTH

		193.50*	193.50*
OPERATING	HTH	44,103,749 A	[45,063,201 A] <u>43,603,248 A</u>
		17.00*	17.00*
	HTH	19,636,965 B	[18,636,965 B] <u>20,096,918 B</u>
	HTH	2,555,977 N	2,568,019 N
	HTH	2,260,313 U	2,260,313 U”

SECTION 8. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending items F.2, F.3, F.4, F.10, F.12, F.17, F.19, F.24, F.26, and F.29 in section 3 to read as follows:

F. SOCIAL SERVICES

“2. HMS302 - GENERAL SUPPORT FOR CHILD CARE

		26.07*	26.07*
OPERATING	HMS	1,245,650 A	1,245,908 A
		15.93*	16.93*
	HMS	6,512,325 N	6,683,439 N
	HMS	V	<u>500.000 V</u>

3. HMS303 - CHILD PROTECTIVE SERVICES PAYMENTS

OPERATING	HMS	44,816,013 A	41,816,013 A
	HMS	20,095,666 N	20,095,666 N
	HMS	V	<u>1,705,010 V</u>

4. HMS305 - CASH SUPPORT FOR CHILD CARE

OPERATING	HMS	22,411,811 A	22,411,811 A
	HMS	34,250,754 N	34,250,754 N
	HMS	V	<u>2,600,000 V</u>

10. HMS211 - CASH SUPPORT FOR FAMILIES - SELF-SUFFICIENCY

OPERATING	HMS	38,182,284 A	38,182,284 A
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	HMS	41,000,000 N	41,000,000 N <u>44,000,000 N</u>
12. HMS220 - RENTAL HOUSING SERVICES			
		1.00 *	1.00 *
OPERATING	HMS	10,194,240 A	5,039,240 A
		200.00 *	200.00 *
	HMS	43,869,465 N	43,869,475 N
		23.00 *	23.00 *
INVESTMENT CAPITAL	HMS	3,992,323 W	3,992,323 W
	HMS	25,000,000 C	16,410,000 C
	<u>HMS</u>	<u>Y</u>	<u>16,245,443 Y</u>
17. HMS224 - HOMELESS SERVICES			
		5.00 *	5.00 *
OPERATING	HMS	11,276,608 A	14,111,698 A
	HMS	1,369,108 N	1,369,108 N
	<u>HMS</u>	<u>Y</u>	<u>2,166,888 Y</u>
INVESTMENT CAPITAL	HMS	850,000 C	1,454,000 C
19. HMS401 - HEALTH CARE PAYMENTS			
OPERATING	HMS	479,133,108 A	498,189,087 A <u>423,393,786 A</u>
	HMS	672,850,832 N	693,906,153 N
	HMS	44,409,563 U	44,409,563 U
	<u>HMS</u>	<u>Y</u>	<u>115,356,431 Y</u>
24. HHL602 - PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS			
		14.00 *	14.00 *
OPERATING	HHL	679,070 A	679,274 A
		66.00 *	66.00 *
	HHL	5,649,008 B	5,063,477 B
	HHL	16,393,455 N	9,600,545 N
		51.00 *	51.00 *
INVESTMENT CAPITAL	HHL	3,878,386 T	3,640,482 T
	HHL	375,000 C	550,000 C
	HHL	E	100,000,000 E
	<u>HHL</u>	<u>Y</u>	<u>10,200,000 Y</u>
26. HTH904 - EXECUTIVE OFFICE ON AGING			
		3.30 *	3.74 *
OPERATING	HTH	6,370,552 A	6,119,214 A
		7.45 *	8.01 *
	HTH	7,443,720 N	7,443,720 N
	<u>HTH</u>	<u>Y</u>	<u>485,000 Y</u>
INVESTMENT CAPITAL	HTH	250,000 C	800,000 C
29. HMS903 - GENERAL SUPPORT FOR SELF SUFFICIENCY SERVICES			
		62.96 *	62.96 *
OPERATING	HMS	10,444,592 A	10,420,477 A
		57.04 *	62.04 *
	HMS	59,079,035 N	55,059,052 N <u>65,059,052 N</u>
	<u>HMS</u>	<u>Y</u>	<u>25,550,000 Y</u>

SECTION 9. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending items G.2, G.3, and G.5 in section 3 to read as follows:

G. FORMAL EDUCATION

"2. EDN150 – COMPREHENSIVE STUDENT SUPPORT SERVICES

		5,615.50 *	5,728.50 *
OPERATING	EDN	361,156,533 A	355,373,685 A <u>355,224,059 A</u>

		2.00 *	2.00 *
	EDN	49,050,756 N	49,050,756 N
	<u>EDN</u>	<u>V</u>	<u>20,493,170 V</u>
	EDN	2,000,000 W	2,000,000 W
			<u>2,149,626 W</u>
3. EDN200 – INSTRUCTIONAL SUPPORT			
		232.50 *	234.50 *
OPERATING	EDN	34,454,113 A	33,297,750 A
		6.00 *	6.00 *
	EDN	1,600,000 B	1,700,000 B
	EDN	2,222,450 N	2,026,461 N
	EDN	800,000 U	800,000 U
			<u>175,966 V</u>
5. EDN400 – SCHOOL SUPPORT			
		644.00 *	644.00 *
OPERATING	EDN	170,290,488 A	169,455,447 A
		726.50 *	726.50 *
	EDN	23,112,819 B	23,112,819 B
		3.00 *	3.00 *
	EDN	35,659,876 N	35,659,880 N
	<u>EDN</u>	<u>V</u>	<u>348,600 V</u>
		4.00 *	4.00 *
	EDN	6,000,000 W	7,022,625 W

SECTION 10. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by adding a new section after section 46.1 to read as follows:

“SECTION 46.2. Provided that of the general fund appropriation for Hawaii health systems corporation (HTH 210), there is appropriated the sum of \$14,000,000 or so much thereof as may be necessary for fiscal year 2008-2009 that shall be expended to pay accounts payable vendors for medical services, equipment, or supplies; provided further that the funds shall be allocated as follows:

- (1) \$3,300,000 for the Kauai Veterans Memorial Hospital;
- (2) \$3,700,000 for the Kona Community Hospital; and
- (3) \$7,000,000 for the Hilo Medical Center;

provided further that the funds shall not be expended for any other purpose; and provided further that any unexpended funds shall lapse to the general fund.”

SECTION 11. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending item A.4, and adding item A.6.01, in section 125 to read:

A. ECONOMIC DEVELOPMENT

AGR141 – AGRICULTURAL RESOURCE MANAGEMENT

“4. P97002 UPCOUNTRY MAUI WATERSHED, MAUI

PLANS, LAND ACQUISITION, DESIGN, AND CONSTRUCTION FOR THE INSTALLATION OF PIPELINE FOR THE UPCOUNTRY MAUI WATERSHED PROJECT, KULA, MAUI. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID AND/OR REIMBURSEMENT.

PLANS	50	50
LAND	100	100
DESIGN	200	200

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CONSTRUCTION		2,650	[2,650]
TOTAL FUNDING	AGR	1,500 C	<u>3,200</u>
	AGR	1,500 N	1,500 N
	AGR	<u>Y</u>	<u>550 V</u>

6.01. LOWER HAMAKUA DITCH SYSTEM, HAWAII

CONSTRUCTION FOR IMPROVEMENTS TO THE LOWER HAMAKUA DITCH SYSTEM, TOGETHER WITH APPURTENANT WORKS, INCLUDING IMPROVEMENTS TO MITIGATE FLOOD DAMAGE. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

CONSTRUCTION			<u>1,800</u>
TOTAL FUNDING	AGR	<u>Y</u>	<u>1,800 V</u>

SECTION 12. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending item C.118 in section 125 to read as follows:

C. TRANSPORTATION FACILITIES

TRN595 – HIGHWAYS ADMINISTRATION

“118. X222 SEISMIC RETROFIT OF VARIOUS BRIDGES, STATEWIDE

CONSTRUCTION FOR SEISMIC RETROFIT IMPROVEMENTS FOR VARIOUS BRIDGES STATEWIDE. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

CONSTRUCTION			[7,500]
TOTAL FUNDING	TRN	E	<u>9,300</u>
	TRN	N	6,000 N
	<u>TRN</u>	<u>V</u>	<u>1,800 V</u>

SECTION 13. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by adding items F.13.01 and F.18.02 to section 125 to read as follows:

F. SOCIAL SERVICES

HMS220 – RENTAL HOUSING SERVICES

“13.01. LUMP SUM CIP – ARRA HUD STIMULUS RENOVATIONS, STATEWIDE

CONSTRUCTION FOR NON-ROUTINE REPAIRS AND MAINTENANCE, IMPROVEMENTS, AND RENOVATIONS STATEWIDE.

CONSTRUCTION			<u>16,245</u>
TOTAL FUNDING	HMS	<u>V</u>	<u>16,245 V</u>

HHL602 – PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS

“18.02. NAHASDA DEVELOPMENT PROJECTS (ARRA), STATEWIDE

PLANS, DESIGN, AND CONSTRUCTION
FOR VARIOUS HAWAIIAN HOMESTEAD
PROJECTS AND IMPROVEMENTS
STATEWIDE, PURSUANT TO THE NATIVE
AMERICAN HOUSING ASSISTANCE AND
SELF-DETERMINATION ACT OF 1996
AND THE AMERICAN RECOVERY AND
REINVESTMENT ACT OF 2009.

<u>PLANS</u>					
<u>DESIGN</u>					$\frac{1}{1}$
<u>CONSTRUCTION</u>					$\frac{10,198}{10,200}$
<u>TOTAL FUNDING</u>	<u>HHL</u>		<u>V</u>		<u>10,200 V</u>

PART II

SECTION 14. Act 200, Session Laws of Hawaii 2003, as amended by Act 41, Session Laws of Hawaii 2004, is amended by adding a new section to read as follows:

“SECTION 129.1. Provided that the governor may approve the expenditure of federal stimulus funds for operating and capital improvement purposes designated with the letter (V) which are in excess of levels authorized by the legislature; provided further that the governor may allow for an increase in the federal stimulus fund authorization ceiling for the program to accommodate the expenditure of such funds; provided further that prior to the governor’s approval to expend these funds the governor shall submit a report to the legislature.”

SECTION 15. Act 200, Session Laws of Hawaii 2003, as amended by Act 41, Session Laws of Hawaii 2004, is amended by amending the definition of “means of financing” to read as follows:

““Means of financing” (or “MOF”) means the source from which funds are appropriated, or authorized, as the case maybe, to be expended for the programs and projects specified in this Act. All appropriations are followed by letter symbols. Such letter symbols, where used, shall have the following meaning:

- A general funds
- B special funds
- C general obligation bond fund
- D general obligation bond fund with debt service cost to be paid from special funds
- E revenue bond funds
- J federal aid interstate funds
- K federal aid primary funds
- L federal aid secondary funds
- M federal aid urban funds
- N other federal funds
- R private contributions
- S county funds
- T trust funds
- U interdepartmental transfers
- V federal stimulus funds
- W revolving funds
- X other funds”

SECTION 16. Act 200, Session Laws of Hawaii 2003, section 3, as amended by Act 41, Session Laws of Hawaii 2004, section 200, is amended by amending item C.27 to read:

“27. TRN 501 – OAHU HIGHWAYS

		264.00*	233.00*
OPERATING	TRN	44,368,085 B	43,535,244 B
	TRN	800,000 N	800,000 N
INVESTMENT CAPITAL	TRN	B	5,000,000 B
	TRN	42,995,000 E	12,755,000 E
	TRN	43,020,000 N	36,220,000 N
	TRN	<u>17,000,000 V</u>	<u>V</u>
	TRN	X	6,200,000 X”

SECTION 17. Act 200, Session Laws of Hawaii 2003, section 77, as amended by Act 41, Session Laws of Hawaii 2004, section 5, is amended by amending item C-37 to read:

“37. S269 KAMEHAMEHA HIGHWAY, SOUTH PUNALUU BRIDGE REPLACEMENT, OAHU

CONSTRUCTION FOR REPLACEMENT OF SOUTH PUNALUU BRIDGE. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

CONSTRUCTION		[12,250]	29,250
TOTAL FUNDING	TRN	2,450 E	E
	TRN	9,800 N	N
	TRN	<u>17,000 V</u>	<u>V</u>

PART IV

SECTION 18. Act 178, Session Laws of Hawaii 2005, as amended by Act 160, Session Laws of Hawaii 2006, is amended by adding a new section to read as follows:

“SECTION 131.1. Provided that the governor may approve the expenditure of federal stimulus funds for operating and capital improvement purposes designated with the letter (V) which are in excess of levels authorized by the legislature; provided further that the governor may allow for an increase in the federal stimulus fund authorization ceiling for the program to accommodate the expenditure of such funds; provided further that prior to the governor’s approval to expend these funds the governor shall submit a report to the legislature.”

SECTION 19. Act 178, Session Laws of Hawaii 2005, as amended by Act 160, Session Laws of Hawaii 2006, is amended by amending the definition of “means of financing” to read as follows:

“1“Means of financing” (or “MOF”) means the source from which funds are appropriated, or authorized, as the case may be, to be expended for the programs and projects specified in this Act. All appropriations are followed by letter symbols. Such letter symbols, where used, shall have the following meanings:

- A general funds
- B special funds
- C general obligation bond fund
- D general obligation bond fund with debt service cost to be paid from special funds
- E revenue bond funds
- J federal aid interstate funds
- K federal aid primary funds
- L federal aid secondary funds

- M federal aid urban funds
- N other federal funds
- R private contributions
- S county funds
- T trust funds
- U interdepartmental transfers
- V federal stimulus funds
- W revolving funds
- X other funds”

SECTION 20. Act 178, Part II, Session Laws of Hawaii 2005, as amended by Act 160, Session Laws of Hawaii 2006, section 3, is amended as follows:

1. By amending item C-1 to read:

“1. TRN 102 – HONOLULU INTERNATIONAL AIRPORT

		588.50*	588.50*
OPERATING	TRN	87,306,848 B	105,611,169 B
	TRN	4,000,000 N	2,425,000 N
INVESTMENT CAPITAL	TRN	4,879,000 B	19,145,000 B
	TRN	E	106,812,000 E
	TRN	8,012,000 N	9,135,000 N
	<u>TRN</u>	<u>V</u>	<u>25,000,000 V</u>
	TRN	35,938,000 X	88,277,000 X”

2. By amending item C-7 to read:

“7. TRN 131 – KAHULUI AIRPORT

		149.00*	149.00*
OPERATING	TRN	19,423,988 B	17,764,381 B
	TRN	600,000 N	
INVESTMENT CAPITAL	TRN	3,675,000 B	7,450,000 B
	TRN	E	33,915,000 E
	TRN	2,329,000 N	18,315,000 N
	<u>TRN</u>	<u>V</u>	<u>11,000,000 V</u>
	TRN	10,293,000 X	X”

3. By amending item C-15 to read:

“15. TRN 195 – AIRPORTS ADMINISTRATION

		109.00*	109.00*
OPERATING	TRN	99,457,463 B	99,146,790 B
INVESTMENT CAPITAL	TRN	16,166,000 B	14,376,000 B
	TRN	E	4,150,000 E
	TRN	29,750,000 N	39,220,000 N
	<u>TRN</u>	<u>V</u>	<u>15,000,000 V</u>
	TRN	X	31,200,000 X”

SECTION 21. Act 178, Session Laws of Hawaii 2005, section 85, as amended by Act 160, Session Laws of Hawaii 2006, section 5, is amended as follows:

1. By amending item C-9.02 to read:

“9.02 A24B HONOLULU INTERNATIONAL AIRPORT, INLINE BAGGAGE SYSTEM IMPROVEMENTS, OAHU

CONSTRUCTION FOR INLINE BAGGAGE SYSTEM IMPROVEMENTS INCLUDING EXPLOSIVE DETECTION SYSTEMS, BAGGAGE BELT CONVEYORS AND OTHER RELATED IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

CONSTRUCTION		[63,250] ³	88,250
TOTAL FUNDING ⁴		E	63,250 E
		V	25,000 V”

2. By amending item C-22.02 to read:

“22.02. D08L KAHULUI AIRPORT, INLINE BAGGAGE SYSTEM IMPROVEMENTS, MAUI

CONSTRUCTION OF INLINE BAGGAGE SYSTEM IMPROVEMENTS INCLUDING EXPLOSIVE DETECTION SYSTEMS, BAGGAGE BELT CONVEYORS AND OTHER RELATED IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

CONSTRUCTION		[14,300] ³	25,300
TOTAL FUNDING ⁴			14,300 E
			<u>11,000 V</u> ”

3. By amending item C-34 to read:

“C-34. F05C STRUCTURAL IMPROVEMENTS TO AIRFIELD PAVING, STATEWIDE

DESIGN AND CONSTRUCTION FOR STRUCTURAL IMPROVEMENTS TO RUNWAYS, TAXIWAYS, AND APRONS AT STATEWIDE AIRPORTS.⁵ REPLACE, RECONSTRUCTION, GROOVING, PAINTING, AND OTHER RELATED IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.

DESIGN		800		900
CONSTRUCTION		10,250	[1,370] ³	26,370
TOTAL FUNDING	TRN	3,200 B		4,500 B
	TRN	7,850 N		7,770 N
	TRN		V	<u>15,000 V</u> ”

SECTION 22. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by amending section 167 to read as follows:

“SECTION 167. Provided that the governor may approve the expenditure of federal funds for operating and capital improvement purposes which are in excess of levels authorized by the legislature only in the event that the expenditure is made for the benefit of the public; provided further that the governor may allow for an increase in the federal fund authorization ceiling for the program to accommodate the expenditure of such funds; provided further that prior to the governor’s approval to expend these funds the governor shall submit a report to the legislature; provided further that the report shall include the date when the program to receive the federal funds was first notified that additional federal funds may be available, the date that additional federal funds were known to be available, and the reasons why additional federal fund appropriations were not sought during the preceding legislative session, and an explanation of the public benefit; provided further that in the event of federal funds received as a⁶ result of a natural or manmade disaster, the governor shall submit notification to the legislature within five days after the governor’s approval to expend funds has been granted; and provided further that the governor shall submit a summary report of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the 2008 and 2009 regular sessions.”

SECTION 23. Act 213, Session Laws of Hawaii 2007, as amended by Act 158, Session Laws of Hawaii 2008, is amended by adding a new section after section 167 to read as follows:

“SECTION 167.1. Provided that the governor may approve the expenditure of federal stimulus funds for operating and capital improvement purposes designated with the letter V which are in excess of levels authorized by the legislature; provided further that the governor may allow for an increase in the federal stimulus fund authorization ceiling for the program to accommodate the expenditure of such funds; provided further that prior to approving the expenditure of these funds the governor shall submit a report to the legislature.”

PART III

SECTION 24. There is appropriated out of the emergency and budget reserve fund of the State of Hawaii the sum of \$8,100,000 or so much thereof as may be necessary for fiscal year 2008-2009 for adult mental health services under HTH 420.

The sum appropriated shall be expended by the department of health.

SECTION 25. There is appropriated out of the emergency and budget reserve fund of the State of Hawaii the sum of \$14,000,000 or so much thereof as may be necessary for fiscal year 2008-2009 for the Hawaii health systems corporation under HTH 210.

The sum appropriated shall be expended by the department of health.

PART IV

SECTION 26. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 27. This Act shall take effect on May 1, 2009.

(Approved May 20, 2009.)

Notes

1. Prior to amendment “(c)” appeared here.
2. Should be underscored.
3. So in original.
4. Prior to amendment “TRN” appeared here.
5. Prior to amendment “improvements include paving, mill and” appeared here.
6. Prior to amendment “the” appeared here. “A” should be underscored.