

A Bill for an Act Relating to the Department of Transportation.

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

PART I. GENERAL PROVISIONS

SECTION 1. Unless otherwise clear from the context, as used in this Act:

“Expending agency” means the department of transportation.

Abbreviations, where used to denote the expending agency, shall mean the following:

TRN Department of Transportation

“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

“Position ceiling” means the maximum number of permanent and temporary full-time equivalent positions authorized for a particular program during a specified period or periods, as denoted by an asterisk for permanent full-time equivalent positions and a pound sign for temporary full-time equivalent positions.

“Program ID” means the unique identifier for the specific program and consists of the abbreviation for the organization responsible for carrying out the program followed by the organization number for the program.

PART II. PROGRAM APPROPRIATIONS

SECTION 2. The following sums, or so much thereof as may be sufficient to accomplish the purposes and programs designated herein, are hereby appropriated or authorized, as the case may be, from the means of financing specified to the expending agencies designated for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021. The total expenditures and the number of positions in each fiscal year of the biennium shall not exceed the sums and the position ceilings indicated for each fiscal year, except as provided elsewhere in this Act or as provided by general law.

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL YEAR	FISCAL YEAR
				2019-2020	2020-2021
1.	TRN301	HONOLULU HARBOR		114.00 * 1.00 #	114.00 * 1.00 #
	OPERATING		TRN	20,371,905 B	20,456,061 B
2.	TRN303	KALAELOA BARBERS POINT HARBOR		6.00 * 1,279,755 B	6.00 * 1,282,209 B
	OPERATING		TRN	1,279,755 B	1,282,209 B

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS	
				FISCAL M YEAR O 2019-2020 F	FISCAL M YEAR O 2020-2021 F
3.	TRN311 - HILO HARBOR				
	OPERATING		TRN	15.00 * 2,285,410 B	15.00 * 2,293,812 B
4.	TRN313 - KAWAIHAE HARBOR				
	OPERATING		TRN	2.00 * 793,376 B	2.00 * 793,376 B
5.	TRN331 - KAHULUI HARBOR				
	OPERATING		TRN	18.00 * 3,241,146 B	18.00 * 3,252,271 B
6.	TRN333 - HANA HARBOR				
	OPERATING		TRN	12,519 B	12,519 B
7.	TRN341 - KAUNAKAKAI HARBOR				
	OPERATING		TRN	1.00 * 206,158 B	1.00 * 206,157 B
8.	TRN351 - KAUMALAPAU HARBOR				
	OPERATING		TRN	1.00 * 132,006 B	1.00 * 132,006 B
9.	TRN361 - NAWILIWILI HARBOR				
	OPERATING		TRN	15.00 * 2,608,331 B	15.00 * 2,619,836 B
10.	TRN363 - PORT ALLEN HARBOR				
	OPERATING		TRN	1.00 * 188,223 B	1.00 * 188,222 B
11.	TRN395 - HARBORS ADMINISTRATION				
	OPERATING		TRN	77.00 * 1.00 # 92,980,358 B	77.00 * 1.00 # 92,980,358 B
12.	TRN104 - GENERAL AVIATION				
	OPERATING		TRN	1.00 * 72,984 B	1.00 * 72,984 B
13.	TRN114 - ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEAHOLE				
	OPERATING		TRN	2.00 * 90,888 B	2.00 * 90,888 B

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$15,000,000 or so much thereof as may be necessary for fiscal year 2018-2019 for the department of transportation.

The sum appropriated shall be expended by the department of transportation; provided that:

- (1) The moneys appropriated pursuant to this section shall not lapse at the end of the fiscal year for which the moneys are appropriated; provided that any unexpended or unencumbered balances from the appropriation shall lapse to the credit of the general fund on June 30, 2021; and
- (2) The governor may transfer any amount appropriated pursuant to this section and the authority to expend the transferred amount to

other state departments, agencies, or programs as may be needed to facilitate the purposes of the respective department, agency, or program.

PART III. PROVISIONS

SECTION 4. Provided that of the special fund appropriation for general aviation (TRN104), the sum of \$72,984 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an airport fire commander.

SECTION 5. Provided that of the special fund appropriation for Ellison Onizuka Kona international airport at Keahole (TRN114), the sum of \$57,168 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for an assistant superintendent IV.

SECTION 6. Provided that of the special fund appropriation for Ellison Onizuka Kona international airport at Keahole (TRN114), the sum of \$33,720 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended for a visitor information program assistant I.

SECTION 7. Provided that, notwithstanding any provision contained in the General Appropriations Act of 2019 that appropriates funds and establishes position ceilings, the positions authorized in section 2 shall be in addition to the positions authorized for that program under the General Appropriations Act of 2019; provided further that any incumbent employee shall retain the employee's:

- (1) Civil service status, whether permanent or temporary; and
- (2) Salary, seniority (except as may be prescribed by applicable collective bargaining agreement), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws.

SECTION 8. Notwithstanding any law to the contrary, provided that the funds appropriated in this Act may be transferred with the approval of the governor to the General Appropriations Act of 2019 (House Bill No. 2, H.D. 1, S.D. 1, C.D. 1),¹ for program execution and expenditure.

SECTION 9. If any portion of this Act or its application to any person, entity, or circumstance is held to be invalid for any reason, then the legislature declares that the remainder of the Act and each and every other provision thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be expended to fulfill the objective of such appropriation to the extent possible.

SECTION 10. If manifest clerical, typographical, or other mechanical errors are found in this Act, the governor may correct the errors.

SECTION 11. This Act shall take effect on June 28, 2019; provided that section 3 shall take effect upon its approval.

(Approved April 12, 2019.)

Note

1. Act 5.