



EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE  
GOVERNOR

July 12, 2006

The Honorable Robert Bunda, President  
and Members of the Senate  
Twenty-Third State Legislature  
State Capitol, Room 003  
Honolulu, Hawaii 96813

**GOV. MSG. NO. 860**

Dear Mr. President and Members of the Senate:

Re: House Bill No. 2258 HD1 SD2 CD1

On July 11, 2006, House Bill No. 2258, entitled "A Bill for an Act Relating to Human Services" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

House Bill No. 2258 requires legislative appropriation for the expenditure of Temporary Assistance to Needy Families program (TANF) funds received by the State before the Department of Human Services can expend the funds. The measure also appropriates monies for the Department of Human Services' Chore Services Program and the Department of Education's Even Start Program.

This measure is objectionable because it restricts the Executive Branch's flexibility in managing human services programs funded under the temporary assistance to needy families program and appropriates TANF funds in a manner that is illegal under federal law.

Although State departments can only expend funds appropriated by the Legislature, for many years the Legislature has felt comfortable appropriating TANF money as a lump sum. However, the Legislature now intends to interject itself into the Executive Branch decisions regarding the use of these funds. This will restrict the Executive Branch's flexibility in setting priorities for human services programs and could adversely impact the neediest citizens of Hawaii these funds are meant to help.

House Bill No. 2258 also appropriates \$1,191,058 in general funds in fiscal year 2006-2007 for the Department of Human Services' Chore Services Program and \$600,000 in temporary assistance to needy families funds in fiscal year 2006-2007 for the Department of Education's Hawaii Even Start Family Literacy Program. Even Start is an educational program funded by the United States Department of Education. As such, it cannot be funded by temporary assistance to needy families funds as these funds are prohibited by federal requirements from funding education programs.

The Honorable Robert Bunda, President  
and Members of the Senate  
Page 2

However, it is important that the Department of Human Services receive the approximately \$1.2 million dollars in supplemental funding for the Chore Services Program to maintain services to its existing clients.

For the foregoing reasons, I allowed House Bill No. 2258 to become law as Act 302 effective July 11, 2006 without my signature.

Sincerely,



LINDA LINGLE

---

---

# A BILL FOR AN ACT

RELATING TO HUMAN SERVICES.

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

PART I

SECTION 1. Chapter 346, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§346- Expenditure of temporary assistance for needy families funds. (a) Funds received by the State under the temporary assistance for needy families program block grant shall be subject to appropriation by the legislature and shall not be expended by the department without a legislative appropriation.

(b) No later than thirty days before the convening of each regular session, the department shall submit to the legislature:

(1) A plan, developed in consultation with temporary assistance for needy families program heads of households and other community members familiar with such families' situations and needs, that:



- 1           (A) Details how the funds received under the  
2           temporary assistance for needy families program  
3           shall be expended; and
- 4           (B) Describes the desired outcomes from the  
5           expenditure of the funds;
- 6       (2) A report about the continuing strategic planning  
7       process, with the assistance of the financial  
8       assistance advisory council, to:
- 9           (A) Involve the community in planning for the future  
10          use of temporary assistance for needy families  
11          funds; and
- 12          (B) Set annual goals and outcomes for existing and  
13          new programs receiving temporary assistance for  
14          needy families funds,  
15          pursuant to section 346-14.5;  
16          and
- 17       (3) A report on the effectiveness and level of success in  
18       reaching the desired outcomes under:
- 19           (A) Paragraphs (1) and (2); and  
20           (B) Programs from the previous two fiscal years using  
21           temporary assistance for needy families funds.





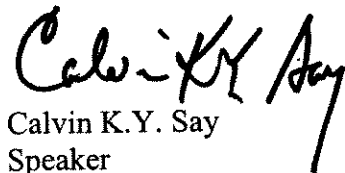


HB No. 2258 HD 1 SD 2 CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 4, 2006  
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the House of Representatives of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Calvin K.Y. Say  
Speaker  
House of Representatives




Patricia Mau-Shimizu  
Chief Clerk  
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: May 4, 2006  
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006.



Robert Bunda  
President of the Senate



Paul Kawaguchi  
Clerk of the Senate