

Report Title:

State finances; executive budget

Description:

Adjusts and requests appropriations for Fiscal Biennium (FB) 2005-07 funding requirements for operations and capital improvement projects (CIP) of Executive Branch agencies and programs.



A BILL FOR AN ACT

RELATING TO THE STATE BUDGET.

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

1 SECTION 1. This Act shall be known and may be cited as the
2 Supplemental Appropriations Act of 2006.

3 SECTION 2. This Act amends Act 178, Session Laws of Hawaii
4 2005, and other appropriations and authorizations effective
5 during fiscal biennium 2005-2007.

6 SECTION 3. Act 178, Session Laws of Hawaii 2005, is
7 amended by amending section 3 to read as follows:

8 "SECTION 3. APPROPRIATIONS. The following sums, or so
9 much thereof as may be sufficient to accomplish the purposes and
10 programs designated herein, are hereby appropriated or
11 authorized, as the case may be, from the means of financing
12 specified to the expending agencies designated for the fiscal
13 biennium beginning July 1, 2005, and ending June 30, 2007. The
14 total expenditures and the number of positions in each fiscal
15 year of the biennium shall not exceed the sums and the number
16 indicated for each fiscal year, except as provided elsewhere in
17 this Act, or as provided by general law.



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1 SECTION 4. Part III, Act 178, Session Laws of Hawaii 2005,
2 is amended:

3 (1) By amending section 12 to read as follows:

4 "SECTION 12. Provided that of the special fund
5 appropriations for the harbors division (TRN 301-TRN 395), the
6 following sums specified for special repair and maintenance
7 projects for fiscal biennium 2005-2007, shall be expended for
8 special repair and maintenance purposes only as follows:

9	<u>Program I.D.</u>	<u>FY 2005-2006</u>	<u>FY 2006-2007</u>
10	TRN 301	\$5,684,000	[\$5,344,000] <u>\$5,594,000</u>
11	TRN 303	\$ 331,000	\$ 331,000
12	TRN 305	\$ 465,000	[\$ 465,000] <u>\$ 30,000</u>
13	TRN 311	\$ 826,000	\$ 846,000
14	TRN 313	\$ 756,000	\$ 526,000
15	TRN 331	\$ 936,000	\$ 936,000
16	TRN 341	\$ 368,400	\$ 368,400
17	TRN 351	\$ 208,000	\$ 208,000
18	TRN 361	\$ 673,000	\$ 673,000
19	TRN 363	\$ 393,000	\$ 393,000;

20 provided further that any unexpended funds shall be lapsed to
21 the harbor special fund; provided further that the department of
22 transportation shall prepare a report on planned uses and actual



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1 expenditures of all special repair and maintenance
 2 appropriations as of December 1 for each fiscal year; provided
 3 further this report shall also include the previous fiscal year;
 4 and provided further that the report shall be submitted to the
 5 legislature no later than twenty days prior to the convening of
 6 the 2006 and 2007 regular sessions."

7 (2) By amending section 13 to read as follows:

8 "SECTION 13. Provided that of the special fund
 9 appropriation for harbors administration (TRN 395), the sum of
 10 \$24,499,024 for fiscal year 2005-2006 and the sum of
 11 [~~\$24,539,732~~] \$27,420,742 for fiscal year 2006-2007 shall be
 12 expended for the following purposes:

13	<u>Purpose</u>	<u>FY 2005-2006</u>	<u>FY 2006-2007</u>
14	Interest and principal on		
15	general obligation bonds	\$ 25,017	[\$24,763] <u>\$ 1,065,751</u>
16	Interest and principal on		
17	revenue bonds	\$24,474,007	[\$24,514,969] <u>\$26,354,991;</u>

18 provided further that any funds not expended for these purposes
 19 shall lapse to the harbor special fund."

20 (3) By amending section 14 to read as follows:

21 "SECTION 14. Provided that of the special fund
 22 appropriations for the harbors division (TRN 301-395), the



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1 following sums specified for security for fiscal biennium 2005-
 2 2007, shall be expended for security purposes only as follows:

3	<u>Program I.D.</u>	<u>FY 2005-2006</u>	<u>FY 2006-2007</u>
4	TRN 301	\$4,452,400	[\$4,452,400] <u>\$2,197,508</u>
5	TRN 303	\$ 216,004	[\$ 216,004] <u>\$ 440,004</u>
6	TRN 305	\$	\$
7	TRN 311	\$ 232,000	[\$ 232,000] <u>\$ 268,463</u>
8	TRN 313	\$ 66,750	[\$ 66,750] <u>\$ 257,873</u>
9	TRN 331	\$ 254,000	[\$ 254,000] <u>\$ 276,000</u>
10	TRN 341	\$	\$
11	TRN 351	\$	\$
12	TRN 361	\$ 263,000	\$ 263,000
13	TRN 363	\$ 403,363	[\$ 443,699] <u>\$</u>
14	TRN 395	\$2,035,000	\$2,035,000;

15 provided further that any unexpended funds shall be lapsed to
 16 the state harbor fund; provided further that the department of
 17 transportation shall prepare a report on actual expenditures of
 18 all security appropriations as of June 30 for each fiscal year;
 19 provided further that this report shall include the previous
 20 fiscal year; and provided further that this report be submitted
 21 to the legislature no later than twenty days prior to the
 22 convening of the 2006 and 2007 regular sessions."



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1 (4) By adding a new section to read as follows:

2 "SECTION 42.1. Provided that of the general fund
3 appropriation for homeless services (HMS 224), the sum of
4 \$10,000,000 for fiscal year 2006-2007 shall be used for repair
5 and maintenance of shelter facilities for the homeless; provided
6 that repair and maintenance of shelter facilities for the
7 homeless serves a public purpose and is necessary to sustain
8 existing housing resources that are essential to the health,
9 safety and welfare of the homeless population."

10 (5) By amending section 45 to read as follows:

11 "SECTION 45. Provided that of the general fund
12 appropriation for school-based budgeting (EDN 100), the sum of
13 \$206,116,917 for fiscal year 2005-2006 and the sum of
14 [~~\$231,840,873~~] \$224,279,599 for fiscal year 2006-2007 shall be
15 used to pay for the debt service on general obligation bonds
16 issued for department of education projects and shall be
17 transferred to the financial administration program (BUF 115) of
18 the department of budget and finance for this purpose; and
19 provided further that the funds shall be transferred no later
20 than July 16 of each respective fiscal year."

21 (6) By amending section 47 to read as follows:



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1 "SECTION 47. Provided that of the general fund
2 appropriation for school-based budgeting (EDN 100), the
3 following fiscal year 2006-2007 cost items shall be considered
4 non-recurring cost items:

5	(1) Equipment for new facilities-regular	[\$2,864,922]
6	instruction	<u>\$2,437,485</u>
7	(2) Equipment for new facilities-special	[\$27,338]
8	education	<u>\$88,201</u>
9	(3) Equipment for new facilities-school	[\$138,456]
10	administration	<u>\$531,576</u>
11	(4) Equipment for new facilities-school	\$94,135;
12	libraries	

13 and provided further that the aforementioned cost items shall be
14 reduced by these amounts at the beginning of fiscal biennium
15 2007-2009."

16 (7) By adding a new section to read as follows:

17 "SECTION 47.1. Provided that of the general fund
18 appropriation for school-based budgeting (EDN 100), the sum of
19 \$11,436,150 for fiscal year 2006-2007 shall be used for the
20 English for second language learners program."

21 (8) By adding a new section to read as follows:



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1 "SECTION 49.1. Provided that of the general fund
2 appropriation for school support (EDN 400), the sum of
3 \$40,000,000 for fiscal year 2006-2007 shall be used for school
4 facility repairs and maintenance."

5 (9) By repealing section 60:

6 ~~["SECTION 60. Provided that of the general fund~~
7 ~~appropriation for the university of Hawaii for fiscal year 2005-~~
8 ~~2006 and fiscal year 2006-2007, the university of Hawaii shall~~
9 ~~expend funds in the program IDs in which they are appropriated,~~
10 ~~with the exception of funds to be transferred to the department~~
11 ~~of budget and finance and funds budgeted in systemwide support~~
12 ~~(UOH 900)."]~~

13 (10) By amending section 61 to read as follows:

14 "SECTION 61. Provided that of the general fund
15 appropriation for systemwide support (UOH 900), the sum of
16 \$73,800,011 for fiscal year 2005-2006 and the sum of
17 [~~\$83,010,455~~] \$80,303,145 for fiscal year 2006-2007 shall be
18 used to pay for debt service on general obligation bonds issued
19 for university of Hawaii projects and transferred to the
20 financial administration program (BUF 115) of the department of
21 budget and finance for that purpose; provided further that the
22 funds shall be transferred no later than July 16 of each



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1 respective fiscal year; provided further that the department of
2 budget and finance shall submit a detailed report comparing
3 general fund appropriations to actual general fund expenditures
4 for the university of Hawaii's share of general obligation bond
5 debt service for each fiscal year from the 2001-2002 fiscal year
6 through the last completed fiscal year, and a projection for
7 each of the succeeding two fiscal years; and provided further
8 that this report shall be submitted to the legislature no later
9 than twenty days prior to the convening of the 2006 and 2007
10 regular sessions."

11 (11) By amending section 64 to read as follows:

12 "SECTION 64. Provided that of the general fund
13 appropriation for general administration (PSD 900), the sum of
14 \$39,576,120 for fiscal year 2005-2006 and the sum of
15 [~~\$40,724,428~~] \$52,858,014 for fiscal year 2006-2007 shall be
16 expended for mainland prison contracts for transportation and
17 necessary operation costs of housing; provided further that if
18 the department of public safety determines that there are
19 inmates who can be released or paroled for the purpose of
20 treatment, and that such release or parole lowers the number of
21 beds that need to be leased in mainland facilities, then an
22 appropriate part of this sum may be used for treatment services;



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1 provided further that any unexpended funds shall lapse into the
2 general fund; provided further that the department of public
3 safety shall submit a report each year of all expenditures made
4 for the mainland prisoners for the previous fiscal year and the
5 current fiscal year, four months actual; provided further that
6 the report shall be submitted to the legislature no later than
7 twenty days prior to the convening of the 2006 and 2007 regular
8 sessions; provided further that the department shall be assessed
9 a fee of \$10,000 for each business day beyond the date that the
10 report is due; and provided further that the director of the
11 department of public safety shall deposit all assessments to the
12 general fund."

13 (12) By amending section 74 to read as follows:

14 "SECTION 74. Provided that of the general fund
15 appropriation for financial administration (BUF 115), the sum of
16 \$231,789,298 for fiscal year 2005-2006 and the sum of
17 [~~\$260,110,764~~] \$253,465,525 for fiscal year 2006-2007 shall be
18 used to pay for interest and principal on general obligation
19 bonds; provided further that the funds shall not be expended for
20 any other purpose; provided further that any unexpended funds
21 shall lapse to the general fund; provided further that the
22 department of budget and finance shall submit a detailed report



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1 comparing general fund appropriations to actual general fund
2 expenditures for the non-department of education and non-
3 university of Hawaii share of general obligation bond debt
4 service for each fiscal year from the 2001-2002 fiscal year
5 through the last completed fiscal year, and compare
6 appropriations to a projection for the fiscal year in which the
7 report is to be submitted; and provided further that this report
8 shall be submitted no later than twenty days prior to the
9 convening of the 2006 and 2007 regular sessions."

10 (13) By amending section 79 to read as follows:

11 "SECTION 79. Provided that of the general fund
12 appropriation for work force attraction, selection,
13 classification, and efficiency (HRD 102), the sum of \$1,021,620
14 for fiscal year 2005-2006 and the sum of [~~\$1,021,620~~] \$1,223,320
15 for fiscal year 2006-2007 shall be expended for unemployment
16 compensation claims of former state employees; provided further
17 that any unrequired and unexpended funds appropriated for this
18 purpose may be expended to meet current workers' compensation
19 claims."

20 SECTION 5. Part IV, Act 178, Session Laws of Hawaii 2005,
21 is amended by amending section 85 to read as follows:



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1 "SECTION 85. CAPITAL IMPROVEMENT PROJECTS AUTHORIZED. The
2 sums of money appropriated or authorized in part II of this Act
3 for capital improvements shall be expended for the projects
4 listed below. Accounting of the appropriations by the
5 department of accounting and general services shall be based on
6 the projects listed in this section. Several related or similar
7 projects may be combined into a single project if such
8 combination is advantageous or convenient for implementation;
9 and provided further that the total cost of the projects thus
10 combined shall not exceed the total of the sum specified for the
11 projects separately. (The amount after each cost element and
12 the total funding for each project listed in this part are in
13 thousands of dollars.)

14 SECTION 6. Part V, Act 178, Session Laws of Hawaii 2005,
15 is amended:

16 (1) By amending section 86 to read as follows:

17 "SECTION 86. Provided that of the general obligation bond
18 fund appropriation for Hawaii community development authority
19 (BED 150), the sum of \$1,603,000 for fiscal year 2005-2006 and
20 the sum of [~~\$1,603,000~~] \$1,672,000 for fiscal year 2006-2007
21 shall be used for Hawaii community development authority capital
22 improvements program staff costs, statewide."



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1 (2) By amending section 87 to read as follows:

2 "SECTION 87. Provided that of the special funds and other
3 funds appropriations for airports administration (TRN 195), the
4 sum of \$2,151,000 for fiscal year 2005-2006 and the sum of
5 [~~\$2,151,000~~] \$2,251,000 for fiscal year 2006-2007 shall be used
6 for airports division capital improvements program staff costs,
7 statewide."

8 (3) By amending section 88 to read as follows:

9 "SECTION 88. Provided that of the special funds
10 appropriation for harbors administration (TRN 395), the sum of
11 \$988,000 for fiscal year 2005-2006 and the sum of [~~\$988,000~~]
12 \$1,088,000 for fiscal year 2006-2007 shall be used for harbors
13 division capital improvements program staff costs, statewide."

14 (4) By amending section 92 to read as follows:

15 "SECTION 92. Provided that of the special funds
16 appropriation for school-based budgeting (EDN 100), the sum of
17 \$400,000 for fiscal year 2005-2006 and the sum of [~~\$400,000~~]
18 \$419,000 for fiscal year 2006-2007 shall be used for department
19 of education capital improvements program staff costs,
20 statewide."

21 (5) By adding a new section to read as follows:



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1 "SECTION 98.1. Any law to the contrary notwithstanding,
 2 the appropriations under Act 1, First Special Session Laws of
 3 Hawaii 1981, section 3, as amended and renumbered by Act 264,
 4 Session Laws of Hawaii 1982, section 5, in the amounts indicated
 5 or balances thereof, unallotted, allotted, encumbered, and
 6 unrequired, are hereby lapsed:

7	<u>"Item No.</u>	<u>Amount (MOF)</u>
8	<u>A-8</u>	<u>\$449,000 C"</u>

9 (6) By adding a new section to read as follows:

10 "SECTION 98.2. Any law to the contrary notwithstanding,
 11 the appropriations under Act 296, Session Laws of Hawaii 1991,
 12 section 165, as amended and renumbered by Act 300, Session Laws
 13 of Hawaii 1992, section 6, in the amounts indicated or balances
 14 thereof, unallotted, allotted, encumbered, and unrequired, are
 15 hereby lapsed:

16	<u>"Item No.</u>	<u>Amount (MOF)</u>
17	<u>D-10</u>	<u>\$772,000 C"</u>

18 (7) By amending section 99 to read as follows:

19 "SECTION 99. Any law to the contrary notwithstanding, the
 20 appropriations under Act 289, Session Laws of Hawaii 1993,
 21 section 127, as amended and renumbered by Act 252, Session Laws
 22 of Hawaii 1994, section 5, in the amounts indicated or balances

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1 thereof, unallotted, allotted, encumbered, and unrequired, are
 2 hereby lapsed:

3	<u>"Item No.</u>	<u>Amount (MOF)</u>	
4	A-6	\$5,000,000	R
5	C-01	46,824	E
6	C-01	72,306	N
7	C-02	3,986,198	B
8	C-02	2,926	E
9	C-03	17,174	B
10	C-03	14,896	E
11	C-03	500,000	N
12	C-04	139,487	E
13	C-04	419,425	N
14	C-10	39,605	B
15	C-10	21,314	E
16	C-10	133,104	N
17	C-11	154,348	B
18	C-11	122,553	E
19	C-11	3,672,118	N
20	C-12	268,224	B
21	C-13	70,699	B
22	C-13	297,534	N
23	C-14	87,240	B
24	C-14	131,435	E
25	C-15	837,644	B
26	C-16	3,921	B
27	C-16	143,890	N
28	C-17	250,000	E
29	C-18	1,781,365	B
30	C-19	10,108	E
31	C-21	3	B
32	C-21	236,060	E
33	C-21	284,006	N
34	C-41	2,121,000	E
35	C-59D	7,000	E
36	C-59D	122,000	N
37	C-59E	41,000	E
38	C-59E	145,000	N"

39 (8) By amending section 100 to read as follows:



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1 "SECTION 100. Any law to the contrary notwithstanding, the
 2 appropriations under Act 218, Session Laws of Hawaii 1995,
 3 section 99, as amended and renumbered by Act 287, Session Laws
 4 of Hawaii 1996, section 5, in the amounts indicated or balances
 5 thereof, unallotted, allotted, encumbered, and unrequired, are
 6 hereby lapsed:

7	<u>"Item No.</u>	<u>Amount (MOF)</u>
8	A-10	\$ 747,956 C
9	C-01	2,356,749 B
10	C-01	205,883 E
11	C-01	2,287,140 N
12	C-02	654,500 B
13	C-02	1,000,000 E
14	C-06	16,385,029 B
15	C-06	21,921,750 N
16	C-06A	1,441,000 N
17	C-06B	1,000,000 N
18	C-07B	6,026,477 N
19	C-08	2,000 N
20	C-10	80,059 B
21	C-10	60,216 E
22	C-26	3,859,000 E
23	C-26	640,000 N"

24 (9) By amending section 101 to read as follows:

25 "SECTION 101. Any law to the contrary notwithstanding, the
 26 appropriations under Act 328, Session Laws of Hawaii 1997,
 27 section 140A, as amended and renumbered by Act 116, Session Laws
 28 of Hawaii 1998, section 5, in the amounts indicated or balances



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1 thereof, unallotted, allotted, encumbered, and unrequired, are
 2 hereby lapsed:

3	<u>"Item No.</u>	<u>Amount (MOF)</u>
4	C-03	\$ 9,307,690 B
5	C-05	126,701 N
6	C-10A	794,860 B
7	C-21B	4,000,000 N
8	C-37A	532,826 N
9	C-42	24,986,281 B
10	C-48	16,866 B
11	C-48	7,319,586 N
12	C-66	20,000,000 B
13	C-67	79,000 B
14	C-70	151,447 B
15	C-70	3,960,765 N
16	C-73	29,037 B
17	C-73	19,500 N
18	C-76	3,649 B
19	C-76	250,000 N
20	I-10	150,000 C
21	I-14	30,000 C
22	K-20	262,460 B"

23 (10) By amending section 102 to read as follows:

24 "SECTION 102. Any law to the contrary notwithstanding, the
 25 appropriations under Act 91, Session Laws of Hawaii 1999,
 26 section 64, as amended and renumbered by Act 281, Session Laws
 27 of Hawaii 2000, section 5, in the amounts indicated or balances
 28 thereof, unallotted, allotted, encumbered, and unrequired, are
 29 hereby lapsed:

30	<u>"Item No.</u>	<u>Amount (MOF)</u>
31	<u>A-16A</u>	<u>\$543,194 C</u>



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1	A-16C	70,000 C
2	G-81	70,000 C
3	G-89	211,812 C
4	G-96	292,089 C
5	G-98A	370,000 C"

6 (11) By amending section 104 to read as follows:

7 "SECTION 104. Any law to the contrary notwithstanding, the
8 appropriations under Act 200, Session Laws of Hawaii 2003,
9 section 77, as amended and renumbered by Act 41, Session Laws of
10 Hawaii 2004, section 5, in the amounts indicated or balances
11 thereof, unallotted, allotted, encumbered and unrequired, are
12 hereby lapsed:

13	<u>"Item No.</u>	<u>Amount (MOF)</u>
14	A-0.03	\$ 1,900,000 N
15	A-06	39,839 C
16	A-3.03	700,000 C
17	A-4.02	2,000,000 C
18	C-71	7,500,000 E
19	E-5	20,000,000 C
20	F-3.08	660,000 C
21	H-9.01	250,000 C
22	H-9.02	250,000 C
23	H-9.03	75,000 C
24	K-9.01	500,000 C
25	K-9.01	500,000 S"

26 SECTION 7. Part VII, Act 178, Session Laws of Hawaii 2005,
27 is amended:

28 (1) By amending section 113 to read as follows:



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1 "SECTION 113. Provided that in the event that the
2 authorized appropriations specified for a capital improvement
3 project listed in this Act are insufficient and where the source
4 of funding is designated as airport passenger facility charge
5 funds, the governor may make supplemental allotments from
6 unrequired balances from the airport revenue fund or airport
7 revenue bond funds or transfer unrequired balances from other
8 completed but unexpired projects in this Act or prior
9 appropriation acts that authorized the use of airport passenger
10 facility charge funds; provided further that the supplemental
11 allotments shall not be used to increase the scope of the
12 project; provided further that the supplemental allotments shall
13 not impair the ability of the fund to meet the purposes for
14 which it was established; and provided further that the
15 governor, in the governor's discretion, is authorized to
16 increase the passenger facility charge fund authorization
17 ceiling for the program to accommodate the expenditure of the
18 funds.

19 The governor is authorized to use, at the governor's
20 discretion, the airport revenue fund or airport revenue bond
21 funds to finance those projects listed in part IV of this Act or



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1 any other prior or future Acts where the method of financing is
2 designated to be by airport passenger facility charge funds."

3 (2) By adding a new section to read as follows:

4 "SECTION 124.1. Provided that notwithstanding any
5 provision in part III of this Act, the governor is authorized to
6 transfer savings or unrequired balances as may be available from
7 general funds of any program in this Act, up to an aggregate
8 total of \$300,000, to supplement the department of land and
9 natural resources' firefighter's contingency fund; provided that
10 these funds be used for prevention, control and extinguishment
11 of wildland fires within forest reserves, public hunting areas,
12 wildlife and plant sanctuaries and natural area reserves in
13 cooperation with established fire control agencies of the
14 counties and federal government."

15 (3) By amending section 156 to read as follows:

16 "SECTION 156. Provided that of the federal fund
17 appropriation for the department of human services there is
18 appropriated current year federal Temporary Assistance for Needy
19 Families (TANF) funds, which are federal TANF funds from the
20 current federal fiscal year's block grant, the sum of
21 \$63,904,788, or so much thereof as may be necessary, for fiscal
22 year 2005-2006, and the [~~same~~] sum of \$98,904,788, or so much



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1 thereof as may be necessary, for fiscal year 2006-2007 for the
2 purposes of implementing the TANF program, its associated
3 programs, and transfers to other programs."

4 (4) By repealing section 165:

5 [~~"SECTION 165. Provided that no position funded by federal
6 funds shall be allocated or assigned to any program other than
7 the program for which the federal funds are appropriated."~~]

8 (5) By amending section 167 to read as follows:

9 "SECTION 167. Provided that for fiscal year 2006-2007 no
10 funds, including federal funds, shall be expended to fill any
11 position not authorized by the legislature; provided further
12 that this prohibition shall not apply to the university of
13 Hawaii and the Hawaii health systems corporation; provided
14 further that this prohibition shall not apply to positions
15 entirely federally funded; provided further that this
16 prohibition shall not apply to positions established pursuant to
17 section 76-16(b), subsections (3), (12), (13), (21), and (23),
18 Hawaii Revised Statutes, or where an agency has explicit
19 statutory authorization to establish positions to accomplish
20 necessary functions; provided further that for any positions
21 established by the department of education and the university of
22 Hawaii, established entirely with federal funds, established



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1 pursuant to section 76-16(b), subsections (3), (12), (13), (21),
2 and (23), or where there is explicit statutory authorization,
3 the respective agency or department shall submit a report to the
4 legislature within five days of each use of this proviso;
5 provided further that the report shall include authority used to
6 establish the position, date the position was established,
7 projected date the position will be filled, amounts projected to
8 be expended in fiscal year 2006-2007, source of funds used to
9 pay for the position, and functions to be performed by the
10 position; provided further that a report shall be prepared by
11 the department of budget and finance identifying all positions
12 not authorized by the legislature (both filled and vacant) in
13 the Executive Branch with the exception of the department of
14 education and the university of Hawaii; provided further that
15 this report shall include for each position the authority used
16 to establish the position, the date the position was
17 established, whether the position is filled or vacant, if the
18 position is vacant the date the position became vacant, if the
19 position is filled the date the position was filled, the amount
20 expended for the position for fiscal year 2004-2005, the amount
21 projected to be expended in fiscal year 2005-2006, the amount
22 projected to be expended for fiscal year 2006-2007, the source



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1 of funds used to pay for the position, the impact of eliminating
2 the position and funds projected to be expended for the
3 position; and provided further that the report shall be
4 submitted to the legislature no later than October 1, 2005."

5 (6) By adding a new section to read as follows:

6 "SECTION 168.1. Provided that in implementing Act 196,
7 Session Laws of Hawaii 2005, the department of human services
8 and the department of business, economic development and
9 tourism, with the approval of the governor, may each transfer
10 positions and funds to the other; provided that the transfers
11 are necessary for the operations of the departments' housing and
12 development programs; provided further that each department
13 shall submit a report of all uses of this proviso for the
14 previous twelve month period from December 1 to November 30 no
15 later than twenty days prior to the convening of the 2007
16 regular session."

17 SECTION 8. MISCELLANEOUS. If any portion of this Act or
18 its application to any person, entity, or circumstance is held
19 to be invalid for any reason, then the legislature declares that
20 the remainder of the Act and each and every other provision
21 thereof shall not be affected thereby. If any portion of a
22 specific appropriation is held to be invalid for any reason, the



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1 remaining portion shall be expended to fulfill the objective of
2 such appropriation to the extent possible.

3 SECTION 9. In the event manifest clerical, typographical
4 or other mechanical errors are found in this Act, the governor
5 is hereby authorized to correct such errors.

6 SECTION 10. Material to be repealed is bracketed and
7 stricken. New statutory material is underscored. In printing
8 this Act, the revisor of statutes need not include the bracketed
9 material or the underscoring.

10 SECTION 11. Nothing in this Act shall affect the validity
11 or continuing effectiveness of any provisions of Act 178,
12 Session Laws of Hawaii 2005, not repealed or modified by this
13 Act.

14 SECTION 12. EFFECTIVE DATE. This Act shall take effect
15 upon its approval.

16

INTRODUCED BY: _____

BY REQUEST

