
A BILL FOR AN ACT

RELATING TO THE BUDGET.

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

1 SECTION 1. Chapter 37, Hawaii Revised Statutes, is amended
2 by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§37- Restriction or withholding of funds lawfully
5 budgeted and appropriated; prior written notice required. Prior
6 to the imposition of any restriction or withholding of any funds
7 under section 37-36 or 37-37, including any funds that are
8 lawfully budgeted and appropriated by the legislature that are
9 not contained in any allotment plan or request, the governor or
10 the director of finance shall provide prior written notice to
11 the joint legislative budget committee, established under
12 section 21F-3, of the proposed restriction, withholding, or
13 other action that will result in the nonexpenditure or
14 nonallotment of lawfully budgeted and appropriated funds and the
15 reasons therefor."

16 SECTION 2. Section 21F-3, Hawaii Revised Statutes, is
17 amended to read as follows:



1 "[+]§21F-3[+] **Joint legislative budget committee**
2 **established; purpose.** (a) The joint legislative budget
3 committee is hereby established. The committee shall ascertain
4 facts and make recommendations to the legislature and to the
5 houses thereof concerning: [~~the~~]

6 (1) The state budget; [~~the~~]

7 (2) The revenues and expenditures of the State; [~~the~~]

8 (3) The organization and functions of the State, its
9 departments, subdivisions, and agencies; and [~~other~~]

10 (4) Other matters as may be provided for in the rules of
11 the senate and the rules of the house.

12 (b) The joint legislative budget committee may hold public
13 hearings on any decision by the governor or the director of
14 finance to restrict, withhold, or otherwise not expend or not
15 allot any funds lawfully budgeted and appropriated by the
16 legislature and the reasons therefor.

17 (c) The committee shall have a continuing existence and
18 may meet, act, and conduct its business at any place within this
19 State, during the sessions of the legislature or any recess[7]
20 and in the interim period between sessions."

21 SECTION 3. Section 37-34, Hawaii Revised Statutes, is
22 amended by amending subsection (a) to read as follows:



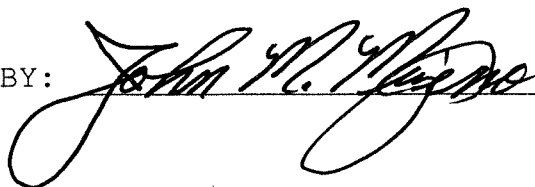
1 "(a) No appropriation to which the allotment system is
2 applicable shall become available to any department or
3 establishment for expenditure during any allotment period until
4 the department or establishment submits an estimate to the
5 director of finance, at whatever time prior to the beginning of
6 the allotment period and in whatever form as the director may
7 prescribe, of the amount required to carry on the work of the
8 department or establishment during that period and until the
9 estimate is approved, increased, or decreased by the director
10 and funds are allotted pursuant to section 37-35[-]; provided
11 that all allotment estimates required under this section shall
12 include all funds lawfully budgeted and appropriated to the
13 department or establishment to fully fund the programs of the
14 department or establishment as contained in the General
15 Appropriations Act, the Supplemental Appropriations Act, or any
16 other appropriation act by the legislature, as the case may be,
17 for the respective fiscal year."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:





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Report Title:

State Budget

Description:

Clarifies that the joint legislative budget committee may hold public hearings on gubernatorial budget restrictions and funds withholding. Requires prior written notice to the joint legislative budget committee of any intent to restrict or withhold any funds. Requires executive agency allotment estimates to include all amounts appropriated by the legislature.

