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# A BILL FOR AN ACT

RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND.

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

1           SECTION 1. The legislature finds that the national and  
2 global economic crisis that began in the second half of 2008 has  
3 caused significant economic problems in numerous industries in  
4 the state, including the airline, cruise ship, tourist, and  
5 construction industries. Mass layoffs have been reported by an  
6 increasing number of Hawaii businesses statewide, from the  
7 agricultural sector to the medical services sector. Hawaii's  
8 automobile dealers have cut fifteen per cent of their workforce  
9 and that percentage could double in the future. Financial  
10 uncertainty has led to fewer visitor arrivals and lower hotel  
11 occupancy rates, resulting in layoffs and reductions in employee  
12 hours. Furthermore, recent forecasts show that the situation  
13 will worsen with a continued decline in employment, personal  
14 income, and visitor arrivals, and rising inflation.

15           Difficult economic times and declining tax revenues have  
16 resulted in budget cuts for all state services. State  
17 departments have been asked to lower their budget proposals by  
18 up to twenty per cent. The department of education faces a



1 possible \$100,000,000 shortfall for the next academic year and  
2 funding has been discontinued for science textbooks and  
3 materials, literacy training programs for learning-disabled  
4 children, as well as for speech pathologists, occupational and  
5 physical therapists, and more than two hundred other positions.

6 The department of health has projected a \$25,000,000  
7 shortfall for mental health services in the current fiscal year.  
8 Funding has been eliminated for the healthy start program,  
9 totaling approximately \$22,000,000 for the biennium.  
10 Additionally, the governor has discontinued funding for the  
11 Hawaii children's health care program, which may leave an  
12 estimated one thousand five hundred gap group children without  
13 access to affordable health care.

14 The current and impending situation jeopardizes the safety  
15 net of basic human services, health, and education needs for  
16 Hawaii's residents and families. While all of Hawaii's  
17 residents will be affected by the situation, gap group families  
18 and families closest to the poverty line will suffer the most.

19 In Act 304, Session Laws of Hawaii, 1999, the legislature  
20 established the emergency and budget reserve fund as a temporary  
21 supplemental source of funding for the State of Hawaii in times  
22 of emergency, economic downturn, or unforeseen reduction in



1 revenues. As set forth in section 328L-3, Hawaii Revised  
2 Statutes, specific purposes for the fund include maintaining of  
3 levels of programs determined to be essential to public health,  
4 safety, welfare, and education. Act 304 also included certain  
5 prohibitions on appropriations from the emergency and budget  
6 reserve fund. Appropriations for the following purposes are  
7 specifically prohibited:

- 8 (1) To meet expenses of the legislature;
- 9 (2) To provide for salary adjustments for officials  
10 appointed pursuant to article V, section 6 or article  
11 VI, section 3 of the Hawaii Constitution and for  
12 others whose salaries are directly related to salaries  
13 of these officials; and
- 14 (3) To fund cost items in any collective bargaining  
15 contract.

16 The legislature finds that expenditures from the emergency  
17 and budget reserve fund are needed to meet the conditions of  
18 emergency, economic downturn, and unforeseen reduction in  
19 revenues that the State currently faces. Further, the  
20 legislature finds that the appropriations in this Act are  
21 consistent with the purposes of the emergency and budget reserve  
22 fund.



1           Therefore, given the current economic crisis and  
2 concomitant budget deficit, the purpose of this Act is to  
3 appropriate moneys from the emergency and budget reserve fund of  
4 the State of Hawaii to maintain the levels of programs  
5 determined to be essential to education, public health, and  
6 public welfare.

7           SECTION 2. There is appropriated out of the emergency and  
8 budget reserve fund of the State of Hawaii the sum of  
9 \$                   or so much thereof as may be necessary for fiscal  
10 year 2010-2011 for respite services.

11           The sum appropriated shall be expended by the department of  
12 health for the purposes of this Act.

13           SECTION 3. There is appropriated out of the emergency and  
14 budget reserve fund of the State of Hawaii the sum of  
15 \$                   or so much thereof as may be necessary for fiscal  
16 year 2010-2011 to supplement the healthy start program.

17           The sum appropriated shall be expended by the department of  
18 health for the purposes of this Act.

19           SECTION 4. There is appropriated out of the emergency and  
20 budget reserve fund of the State of Hawaii the sum of  
21 \$                   or so much thereof as may be necessary for fiscal  
22 year 2010-2011, to provide funding for grants pursuant to



1 chapter 42F, Hawaii Revised Statutes, to be distributed as  
2 follows:

- 3 (1) Catholic Charities Hawaii \$
- 4 (2) Kapahulu Center \$
- 5 (3) Moiliili Community Center \$
- 6 (4) Waikiki Community Center \$

7 The sum appropriated shall be expended by the department of  
8 health for the purposes of this Act.

9 SECTION 5. There is appropriated out of the emergency and  
10 budget reserve fund of the State of Hawaii the sum of  
11 \$ or so much thereof as may be necessary for fiscal  
12 year 2010-2011, for the purposes of maintaining kupuna care  
13 services.

14 The sum appropriated shall be expended by the department of  
15 health for the purposes of this Act.

16 SECTION 6. There is appropriated out of the emergency and  
17 budget reserve fund of the State of Hawaii the sum of  
18 \$ or so much thereof as may be necessary for fiscal  
19 year 2010-2011 for the Aging and Disability Resource Center.

20 The sum appropriated shall be expended by the department of  
21 health for the purposes of this Act.



1 SECTION 7. There is appropriated out of the emergency and  
2 budget reserve fund of the State of Hawaii the sum of  
3 \$ or so much thereof as may be necessary for fiscal  
4 year 2010-2011 for the developmental disabilities medicaid  
5 waiver program.

6 The sum appropriated shall be expended by the department of  
7 health for the purposes of this Act.

8 SECTION 8. There is appropriated out of the emergency and  
9 budget reserve fund of the State of Hawaii the sum of  
10 \$ or so much thereof as may be necessary for fiscal  
11 year 2010-2011, for mental health services.

12 The sum appropriated shall be expended by the department of  
13 health for the purposes of this Act.

14 SECTION 9. There is appropriated out of the emergency and  
15 budget reserve fund of the State of Hawaii the sum of  
16 \$ or so much thereof as may be necessary for fiscal  
17 year 2010-2011, for the partnerships in community living  
18 program.

19 The sum appropriated shall be expended by the department of  
20 health for the purposes of this Act.

21 SECTION 10. There is appropriated out of the emergency and  
22 budget reserve fund of the State of Hawaii the sum of



1 \$ or so much thereof as may be necessary for fiscal  
2 year 2010-2011 for direct health care to the uninsured, which  
3 may include primary medical, dental, and behavioral health care.

4 The sum appropriated shall be expended by the department of  
5 health for the purposes of this Act.

6 SECTION 11. There is appropriated out of the emergency and  
7 budget reserve fund of the State of Hawaii the sum of  
8 \$ or so much thereof as may be necessary for fiscal  
9 year 2010-2011, as a substance abuse prevention and treatment  
10 block grant for substance abuse treatment.

11 The sum appropriated shall be expended by the department of  
12 health for the purposes of this Act.

13 SECTION 12. There is appropriated out of the emergency and  
14 budget reserve fund of the State of Hawaii the sum of  
15 \$ or so much thereof as may be necessary for fiscal  
16 year 2010-2011 for the healthy aging partnerships program.

17 The sum appropriated shall be expended by the department of  
18 health for the purposes of this Act.

19 SECTION 13. There is appropriated out of the emergency and  
20 budget reserve fund of the State of Hawaii the sum of  
21 \$ or so much thereof as may be necessary for fiscal



1 year 2010-2011 for the Waianae Coast Comprehensive Health Center  
2 to support its emergency room services.

3 The sum appropriated shall be expended by the department of  
4 health for the purposes of this Act.

5 SECTION 14. There is appropriated out of the emergency and  
6 budget reserve fund of the State of Hawaii the sum of  
7 \$ or so much thereof as may be necessary for fiscal  
8 year 2010-2011 for HIV/AIDS related support and services.

9 The sum appropriated shall be expended by the department of  
10 health for the purposes of this Act.

11 SECTION 15. There is appropriated out of the emergency and  
12 budget reserve fund of the State of Hawaii the sum of  
13 \$ or so much thereof as may be necessary for fiscal  
14 year 2010-2011 for the Blueprint for Change Program for  
15 Neighborhood Place Walk-in Centers.

16 The sum appropriated shall be expended by the department of  
17 human services for the purposes of this Act.

18 SECTION 16. There is appropriated out of the emergency and  
19 budget reserve fund of the State of Hawaii, the sum of  
20 \$ or so much thereof as may be necessary for fiscal  
21 year 2010-2011, as a grant pursuant to chapter 42F, Hawaii





1 Revised Statutes, for the Hawaii immigrant health initiative  
2 program.

3 The sum appropriated shall be expended by the department of  
4 human services for the purposes of this Act.

5 SECTION 17. There is appropriated out of the emergency and  
6 budget reserve fund of the State of Hawaii the sum of

7 \$ or so much thereof as may be necessary for fiscal  
8 year 2010-2011 for the Hawaii children's health care program.

9 The sum appropriated shall be expended by the department of  
10 human services for the purposes of this Act.

11 SECTION 18. There is appropriated out of the emergency and  
12 budget reserve fund of the State of Hawaii the sum of

13 \$ or so much thereof as may be necessary for fiscal  
14 year 2010-2011 for domestic violence shelters.

15 The sum appropriated shall be expended by the department of  
16 human services for the purposes of this Act.

17 SECTION 19. There is appropriated out of the emergency and  
18 budget reserve fund of the State of Hawaii the sum of

19 \$ for fiscal year 2010-2011 for the Hale Mahaolu Adult  
20 Program for personal care services.

21 The sum appropriated shall be expended by the department of  
22 human services for the purposes of this Act.



1 SECTION 20. There is appropriated out of the emergency and  
2 budget reserve fund of the State of Hawaii the sum of  
3 \$ or so much thereof as may be necessary for fiscal  
4 year 2010-2011 for disproportionate share hospital costs.

5 The sum appropriated shall be expended by the department of  
6 human services for the purposes of this Act.

7 SECTION 21. There is appropriated out of the emergency and  
8 budget reserve fund of the State of Hawaii the sum of  
9 \$ or so much thereof as may be necessary for fiscal  
10 year 2010-2011 for medicaid provider reimbursements.

11 The sum appropriated shall be expended by the department of  
12 human services for the purposes of this Act.

13 SECTION 22. There is appropriated out of the emergency and  
14 budget reserve fund of the State of Hawaii the sum of  
15 \$ or so much thereof as may be necessary for fiscal  
16 year 2010-2011 for outstationed eligibility worker services.

17 The sum appropriated shall be expended by the department of  
18 human services for the purposes of this Act.

19 SECTION 23. There is appropriated out of the emergency and  
20 budget reserve fund of the State of Hawaii the sum of  
21 \$ or so much thereof as may be necessary for fiscal  
22 year 2010-2011 for outreach services.



1           The sum appropriated shall be expended by the department of  
2 human services for the purposes of this Act.

3           SECTION 24. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of  
5 \$                   or so much thereof as may be necessary for fiscal  
6 year 2010-2011 for outreach services to locate uninsured  
7 children.

8           The sum appropriated shall be expended by the department of  
9 human services for the purposes of this Act.

10          SECTION 25. There is appropriated out of the emergency and  
11 budget reserve fund of the State of Hawaii the sum of  
12 \$                   or so much thereof as may be necessary for fiscal  
13 year 2010-2011 for outreach services to locate uninsured adults.

14          The sum appropriated shall be expended by the department of  
15 human services for the purposes of this Act.

16          SECTION 26. There is appropriated out of the emergency and  
17 budget reserve fund of the State of Hawaii the sum of  
18 \$                   or so much thereof as may be necessary for fiscal  
19 year 2010-2011 for housing placement services.

20          The sum appropriated shall be expended by the department of  
21 human services for the purposes of this Act.



1 SECTION 27. There is appropriated out of the emergency and  
2 budget reserve fund of the State of Hawaii the sum of  
3 \$ or so much thereof as may be necessary for fiscal  
4 year 2010-2011 for the shelter plus care program.

5 The sum appropriated shall be expended by the department of  
6 human services for the purposes of this Act.

7 SECTION 28. There is appropriated out of the emergency and  
8 budget reserve fund of the State of Hawaii the sum of  
9 \$ or so much thereof as may be necessary for fiscal  
10 year 2010-2011 for the Oahu safe house program.

11 The sum appropriated shall be expended by the department of  
12 human services for the purposes of this Act.

13 SECTION 29. There is appropriated out of the emergency and  
14 budget reserve fund of the State of Hawaii the sum of  
15 \$ or so much thereof as may be necessary for fiscal  
16 year 2010-2011 for adult dental services.

17 The sum appropriated shall be expended by the department of  
18 human services for the purposes of this Act.

19 SECTION 30. There is appropriated out of the emergency and  
20 budget reserve fund of the State of Hawaii the sum of  
21 \$ or so much thereof as may be necessary for fiscal  
22 year 2010-2011 for medicaid.



1           The sum appropriated shall be expended by the department of  
2 human services for the purposes of this Act.

3           SECTION 31. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of  
5 \$           or so much thereof as may be necessary for fiscal  
6 year 2010-2011 for child care.

7           The sum appropriated shall be expended by the department of  
8 human services for the purposes of this Act.

9           SECTION 32. There is appropriated out of the emergency and  
10 budget reserve fund of the State of Hawaii the sum of  
11 \$           or so much thereof as may be necessary for fiscal  
12 year 2010-2011 for general assistance.

13           The sum appropriated shall be expended by the department of  
14 human services for the purposes of this Act.

15           SECTION 33. There is appropriated out of the emergency and  
16 budget reserve fund of the State of Hawaii the sum of  
17 \$           or so much thereof as may be necessary for fiscal  
18 year 2010-2011 for domestic violence services.

19           The sum appropriated shall be expended by the judiciary for  
20 the purposes of this Act.

21           SECTION 34. There is appropriated out of the emergency and  
22 budget reserve fund of the State of Hawaii the sum of



1 \$ or so much thereof as may be necessary for fiscal  
2 year 2010-2011 for Volunteer Legal Services Hawaii to provide  
3 pro bono legal services for indigent persons.

4 The sum appropriated shall be expended by the judiciary for  
5 the purposes of this Act.

6 SECTION 35. There is appropriated out of the emergency and  
7 budget reserve fund of the State of Hawaii the sum of  
8 \$ or so much thereof as may be necessary for fiscal  
9 year 2010-2011 for the Legal Aid Society of Hawaii to provide  
10 general civil legal services.

11 The sum appropriated shall be expended by the judiciary for  
12 the purposes of this Act.

13 SECTION 36. There is appropriated out of the emergency and  
14 budget reserve fund of the State of Hawaii the sum of  
15 \$ or so much thereof as may be necessary for fiscal  
16 year 2010-2011 for the Hawaii Family Law Clinic to provide  
17 services to obtain temporary restraining orders.

18 The sum appropriated shall be expended by the judiciary for  
19 the purposes of this Act.

20 SECTION 37. There is appropriated out of the emergency and  
21 budget reserve fund of the State of Hawaii the sum of  
22 \$ or so much thereof as may be necessary for fiscal



1 year 2010-2011 for Catholic Charities Hawaii to provide intra-  
2 familial sex assault services.

3 The sum appropriated shall be expended by the judiciary for  
4 the purposes of this Act.

5 SECTION 38. There is appropriated out of the emergency and  
6 budget reserve fund of the State of Hawaii the sum of  
7 \$ or so much thereof as may be necessary for fiscal  
8 year 2010-2011 for the Children's Alliance of Hawaii to provide  
9 child sex assault services.

10 The sum appropriated shall be expended by the judiciary for  
11 the purposes of this Act.

12 SECTION 39. There is appropriated out of the emergency and  
13 budget reserve fund of the State of Hawaii the sum of  
14 \$ or so much thereof as may be necessary for fiscal  
15 year 2010-2011 for the Employment Core Services Program.

16 The sum appropriated shall be expended by the department of  
17 labor and industrial relations for the purposes of this Act.

18 SECTION 40. There is appropriated out of the emergency and  
19 budget reserve fund of the State of Hawaii the sum of  
20 \$ or so much thereof as may be necessary for fiscal  
21 year 2010-2011 for the Weed and Seed Program in Ewa Beach.



1           The sum appropriated shall be expended by the department of  
2 labor and industrial relations for the purposes of this Act.

3           SECTION 41. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of  
5 \$                   or so much thereof as may be necessary for fiscal  
6 year 2010-2011 for the Kapiolani Medical Center's operation of  
7 the Women and Children Sex Abuse Treatment Center for statewide  
8 sex assault services.

9           The sum appropriated shall be expended by the department of  
10 the attorney general for the purposes of this Act.

11           SECTION 42. There is appropriated out of the emergency and  
12 budget reserve fund of the State of Hawaii the sum of \$           or  
13 so much thereof as may be necessary for fiscal year 2010-2011  
14 for non-school hours programs.

15           The sum appropriated shall be expended by the department of  
16 education for the purposes of this Act.

17           SECTION 43. There is appropriated out of the emergency and  
18 budget reserve fund of the State of Hawaii the sum of \$           or  
19 so much thereof as may be necessary for fiscal year 2010-2011 to  
20 provide additional funding for the kupuna care program. This  
21 funding shall be in addition to the \$4,854,350 executive office  
22 on aging base budget.





1 The sum appropriated shall be expended by the department of  
2 health for the purposes of this Act.

3 SECTION 44. There is appropriated out of the emergency and  
4 budget reserve fund of the State of Hawaii the sum of \$ or  
5 so much thereof as may be necessary for fiscal year 2010-2011  
6 for the general assistance program under section 346-71, Hawaii  
7 Revised Statutes, to restore the general assistance benefit  
8 amount to \$450 per month or as close to \$450 per month as  
9 possible, given the monthly caseload.

10 The sum appropriated shall be expended by the department of  
11 human services for the purposes of this Act.

12 SECTION 45. There is appropriated out of the emergency and  
13 budget reserve fund of the State of Hawaii the sum of \$ or  
14 so much thereof as may be necessary for fiscal year 2010-2011 to  
15 support domestic violence shelters statewide.

16 The sum appropriated shall be expended by the department of  
17 human services for the purposes of this Act.

18 SECTION 46. There is appropriated out of the emergency and  
19 budget reserve fund of the State of Hawaii and federal fund  
20 appropriations for QUEST health care payments, the sums of  
21 \$ and \$4,200,000, respectively, or so much thereof as  
22 may be necessary for fiscal year 2010-2011 for the restoration



1 of adult dental care formerly granted under program ID HMS 245 -  
2 quest health care payments; provided that the funds shall not be  
3 expended for any other purpose; provided further that any  
4 unexpended funds shall lapse to their respective funds; provided  
5 further that the department of human services shall prepare a  
6 report on:

- 7 (1) The number of adults receiving these benefits;
- 8 (2) The cost per person;
- 9 (3) Total breakdown of administrative costs and other  
10 overhead costs; and
- 11 (4) Statistics, if available, of how this dental program  
12 is reducing the number of emergency dental-related  
13 medical procedures;

14 provided further that the department of human services shall  
15 submit the report to the legislature no later than twenty days  
16 prior to the convening of the 2011 regular session; provided  
17 further that the department of human services shall be assessed  
18 a fee of \$10,000 each business day beyond the date that the  
19 report is due; and provided further that the director of human  
20 services shall deposit all assessments to the general fund.

21 The sums appropriated shall be expended by the department  
22 of human services for the purposes of this Act.



1 SECTION 47. There is appropriated out of the emergency and  
2 budget reserve fund of the State of Hawaii the sum of \$ or  
3 so much thereof as may be necessary for fiscal year 2010-2011  
4 for child care subsidies.

5 The sum appropriated shall be expended by the department of  
6 human services for the purposes of this Act.

7 SECTION 48. There is appropriated out of the emergency and  
8 budget reserve fund of the State of Hawaii the sum of \$ or  
9 so much thereof as may be necessary for fiscal year 2010-2011 to  
10 fund the development and implementation of a housing first pilot  
11 program, through a collaboration between the Hawaii public  
12 housing authority and the department of human services, for  
13 chronically homeless individuals including those who have an  
14 addiction or mental illness, or both; provided that the Hawaii  
15 public housing authority, in collaboration with the department  
16 of human services shall submit a report to the legislature on  
17 the progress of the housing first pilot program no later than  
18 twenty days prior to the convening of the regular session of  
19 2011.

20 The sum appropriated shall be expended by the Hawaii public  
21 housing authority for the purposes of this Act.

22 SECTION 49. This Act shall take effect on July 1, 2050.



**Report Title:**

Emergency and Budget Reserve Fund; Appropriation

**Description:**

Appropriates moneys from the emergency and budget reserve fund to maintain levels of programs for education, human services, and health. Effective July 1, 2050. (SB2469 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

