
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. (a) In 1999, the legislature established the
2 emergency and budget reserve fund as a temporary supplemental
3 source of funding for the State of Hawaii in times of emergency,
4 economic downturn, or unforeseen reduction in revenues. As set
5 forth in section 328L-3, Hawaii Revised Statutes, specific
6 purposes for the fund include the maintaining of levels of
7 programs determined to be essential to public health, safety,
8 welfare, and education.

9 (b) The legislature finds that the national and global
10 economic crisis has caused significant economic problems in
11 numerous industries in the state, including the airline, cruise
12 ship, tourist, and construction industries. Mass layoffs have
13 been reported by an increasing number of Hawaii businesses
14 statewide, from the agricultural sector to the medical services
15 sector. Hawaii's automobile dealers have cut fifteen per cent
16 of their workforce and that percentage could double in the
17 future. Financial uncertainty has caused decreased visitor

1 arrivals and low hotel occupancy rates leading to layoffs and
2 reductions in employee hours. Furthermore, recent forecasts
3 show that the situation will worsen with a continued decline in
4 jobs, personal income, and visitor arrivals, and with rising
5 inflation.

6 Difficult economic times and declining tax revenues have
7 resulted in budget cuts for all state services. State
8 departments have been asked to lower their budget proposals by
9 up to twenty per cent. The department of education faces a
10 possible \$100,000,000 shortfall for the next academic year and
11 funding has discontinued for science textbooks and materials,
12 programs for literacy training for learning-disabled children,
13 as well as for speech pathologists, occupational, and physical
14 therapists, and more than two hundred other positions.

15 The department of health has projected a \$25,000,000
16 shortfall for mental health services in the current fiscal year.
17 Funding has been eliminated for the healthy start program,
18 totaling approximately \$22,000,000 for the biennium.
19 Additionally, the governor has discontinued funding for the
20 Hawaii children's health care program, which may leave an
21 estimated one thousand five hundred gap group children without
22 access to affordable health care.

1 The current and impending situation jeopardizes the safety
2 net of basic human services, health, and education needs for
3 Hawaii's residents and families. And while all of Hawaii's
4 residents will be affected by the situation, gap group families
5 and families closest to the poverty line will suffer the most.

6 (c) The legislature finds that expenditures from the
7 emergency and budget reserve fund established by section 328L-3,
8 Hawaii Revised Statutes, are needed to meet the conditions of
9 emergency, economic downturn, and unforeseen reduction in
10 revenues that the State currently faces. Further, the
11 legislature finds that the appropriations in this Act are
12 consistent with the purposes of the emergency and budget reserve
13 fund.

14 (d) The emergency budget and reserve fund was established
15 in 1999 with tobacco settlement moneys awarded to the State of
16 Hawaii. The legislature at the time found that smoking lead to
17 many health related problems in both adults and children, and
18 the fund was developed to serve as a medium for a public-private
19 partnership to:

20 (1) Reduce tobacco consumption in Hawaii;

21 (2) Control and prevent chronic diseases where tobacco is
22 a risk factor;

1 (3) Promote healthy lifestyles through better nutrition
2 and improved physical activity; and

3 (4) Promote children's health.

4 (e) Within the emergency budget and reserve fund were
5 enumerated purposes for which appropriations could be made as
6 well as specific prohibitions. Appropriations to maintain
7 levels of programs determined to be essential to the public
8 health, safety and welfare are allowed.

9 Appropriations for the following purposes are specifically
10 prohibited:

11 (1) To meet expenses of the legislature;

12 (2) To provide for salary adjustments for officials
13 appointed pursuant to article V, section 6 or article
14 VI, section 3 of the Constitution of the State of
15 Hawaii and for others whose salaries are directly
16 related to salaries of these officials; and

17 (3) To fund cost items in any collective bargaining
18 contract.

19 (f) The purpose of this Act is to appropriate moneys from
20 the emergency and budget reserve fund of the State of Hawaii to
21 maintain the levels of programs determined to be essential to
22 education, public health, and public welfare.

1 SECTION 2. 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 respite services.

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

7 SECTION 3. 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 to supplement the healthy start program.

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

13 SECTION 4. 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 provide funding for grants pursuant to chapter
 17 42F, Hawaii Revised Statutes, to be distributed as follows:

- 18 (1) Catholic Charities Hawaii \$
- 19 (2) Kapahulu Center \$
- 20 (3) Moiliili Community Center \$
- 21 (4) Waikiki Community Center \$

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

3 SECTION 5. 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 purposes of maintaining kupuna care
7 services.

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

10 SECTION 6. 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 the Aging and Disability Resource Center.

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

16 SECTION 7. 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 developmental disabilities medicaid
20 waiver program.

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

1 SECTION 8. 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 mental health services.

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

7 SECTION 9. 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 partnerships in community living
11 program.

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

14 SECTION 10. 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 direct health care to the uninsured, which
18 may include primary medical, dental, and behavioral health care.

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

21 SECTION 11. There is appropriated out of the emergency and
22 budget reserve fund of the State of Hawaii, as a substance abuse

1 prevention and treatment block grant, the sum of \$ or
2 so much thereof as may be necessary for fiscal year 2010-2011
3 for substance abuse treatment.

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

6 SECTION 12. 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 healthy aging partnerships program.

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

12 SECTION 13. 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 Waianae Coast Comprehensive Health Center
16 to support its emergency room services.

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

19 SECTION 14. 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 HIV/AIDS related support and services.

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

3 SECTION 15. 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 Blueprint for Change program for Neighborhood
7 Place Walk-in Centers.

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

10 SECTION 16. There is appropriated out of the emergency and
11 budget reserve fund of the State of Hawaii as a grant pursuant
12 to chapter 42F, Hawaii Revised Statutes, the sum of \$
13 or so much thereof as may be necessary for fiscal year 2010-2011
14 for the Hawaii immigrant health initiative program.

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

17 SECTION 17. There is appropriated out of the emergency and
18 budget reserve fund of the State of Hawaii the sum of
19 \$ or so much thereof as may be necessary for fiscal
20 year 2010-2011 for the Hawaii children's health care program.

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

1 SECTION 18. 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 domestic violence shelters.

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

7 SECTION 19. There is appropriated out of the emergency and
8 budget reserve fund of the State of Hawaii the sum of
9 \$ for fiscal year 2010-2011 for the Hale Mahaolu Adult
10 program for personal care services.

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

13 SECTION 20. 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 disproportionate share hospital costs.

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

19 SECTION 21. 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 provider reimbursements.

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

3 SECTION 22. 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 outstationed eligibility worker services.

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

9 SECTION 23. 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 outreach services.

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

15 SECTION 24. 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 outreach services to locate uninsured
19 children.

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

1 SECTION 25. 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 outreach services to locate uninsured adults.

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

7 SECTION 26. 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 housing placement services.

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

13 SECTION 27. 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 shelter plus care program.

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

19 SECTION 28. 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 the Oahu safe house program.

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

3 SECTION 29. 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 adult dental services.

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

9 SECTION 30. 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 medicaid.

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

15 SECTION 31. 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 child care.

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

21 SECTION 32. 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 general assistance.

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

5 SECTION 33. 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 domestic violence services.

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

11 SECTION 34. 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 Volunteer Legal Services Hawaii to provide

15 pro bono legal services for indigent persons.

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

18 SECTION 35. 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 Legal Aid Society of Hawaii to provide

22 general civil legal services.

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

3 SECTION 36. 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 Hawaii Family Law Clinic to provide
7 services to obtain temporary restraining orders.

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

10 SECTION 37. 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 Catholic Charities Hawaii to provide intra-
14 familial sex assault services.

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

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

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

3 SECTION 39. 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 Employment Core Services program.

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

9 SECTION 40. 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 Weed and Seed Program in Ewa Beach.

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

15 SECTION 41. 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 the Kapiolani Medical Center's operation of
19 the Women and Children Sex Abuse Treatment Center for statewide
20 sex assault services.

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

1 SECTION 42. 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 non-school hours programs.

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

7 SECTION 43. This Act shall take effect on July 1, 2010.

8

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. (SD1)

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