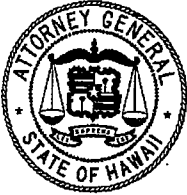


SB 201



**TESTIMONY OF THE STATE ATTORNEY GENERAL
TWENTY-FIFTH LEGISLATURE, 2009**

ON THE FOLLOWING MEASURE:

S.B. NO. 201, S.D. 1, MAKING AN APPROPRIATION FOR THE HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Monday, March 2, 2009 **TIME:** 9:30 AM

LOCATION: State Capitol, Room 211

TESTIFIER(S): WRITTEN TESTIMONY ONLY
(For further information, contact Susan R. Kern,
Deputy Attorney General, at 587-3050.)

Chair Kim and Members of the Committee:

The Department of the Attorney General has the following legal concern regarding this bill.

This bill would appropriate an unspecified amount from the general fund for fiscal year 2009-2010 to purchase buses to transport the disadvantaged elderly, pre-school children, and disabled persons throughout Hawaii County.

As written, the bill, in section 2, does not include an expending agency; instead it provides that the appropriation is to be expended by the Hawaii County Economic Opportunity Council (HCEOC), which is a Hawaii nonprofit corporation, the purpose of which is to operate a community action program on the Island of Hawaii.

Article VII, section 4 of the Hawaii constitution provides: "No grant of public money or property shall be made except pursuant to standards provided by law." Chapter 42F, Hawaii Revised Statutes (HRS), provides such standards. If the Legislature intends to make a grant to HCEOC pursuant to chapter 42F, then section 2 of this measure should be revised to read as follows:

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ _____, or so much thereof as may be necessary for fiscal year 2009-2010, as a grant pursuant to chapter 42F, Hawaii Revised Statutes, to the Hawaii Economic Opportunity Council for the purpose of ten new buses to serve the disadvantaged elderly, pre-school children, and disabled persons.

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

The Legislature should also confirm that the HCEOC meets the standards required by section 42F-103 so that the organization qualifies for this grant.



HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL

47 Rainbow Drive
Hilo, Hawaii 96720-2013
Tel: (808) 961-2681 / Fax: (808) 935-9213

To: Committee on Ways and Means
Date: Monday, March 2, 2009
Time: 9:30 a.m.
Place: Conference Room 211 – State Capitol

Re: TESTIMONY OF GEORGE YOKOYAMA IN SUPPORT OF SB 201 – MAKING AN APPROPRIATION FOR THE HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL

Honorable Chairperson and Members of the Committee,

On behalf of Hawaii County Economic Opportunity Council (HCEOC), a community action agency, I testify in support of Senate Bill 201 which makes an appropriation for 10 buses to continue providing transportation to the needy low-income elderly, the disabled, and low-income preschool children in Hawaii County.

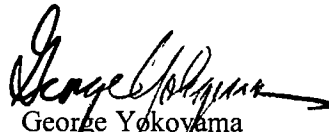
HCEOC Transportation Program enables low-income elderly, mentally and physically disabled individuals and pre-school children access to public and private service facilities and resource centers, which improve their economic and social independence. I strongly believe the following factors emphatically contribute to passing of this Bill.

- Hawaii County is the largest of the 4 counties with 6,424 square miles, nearly 3 and a half times larger than the other 3 counties combined, Maui, 728 square miles; Oahu, 599 square miles; and Kauai, 551 square miles, total of 1,878 square miles.
- There are 24 off highway former plantation communities along the 260 mile geographic perimeter where no transportation services are available except for our human service type transportation which includes 8 wheel chaired lift equipped buses.

- Our transportation program uses 28 mini-buses to serve our clients and 10 of the buses are more than 10 years old with mileage reading ranging from 250,000 to more than 300,000 miles.
- The wear and tear of buses is evident. The aging bus fleet requires constant maintenance and repairs, encounter difficulties meeting DOT safety check, increase in use of gas and oil resulting in high operational costs.

For the facts mentioned, we respectfully request your esteemed committee to assist us in obtaining the necessary funding.

Thank you for the opportunity to testify.



George Yokoyama
Executive Director