



GOV. MSG. NO. 1125

April 27, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 27, 2011, the following bill was signed into law:

SB1288 SD1 HD1

RELATING TO THE EMERGENCY AND BUDGET
RESERVE FUND

Act 25 (11)

Alaka
Sincerely
Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor
on APR 27 2011

ACT 025

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

S.B. NO. 1288
S.D. 1
H.D. 1

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. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The purpose of this Act is to amend Act 191,
5 Session Laws of Hawaii 2010, which appropriated moneys from the
6 emergency and budget reserve fund to maintain the levels of
7 programs determined to be essential to education, public health,
8 and public welfare for fiscal year 2010-2011.

9 The existing language of certain appropriations in Act 191
10 makes it difficult to carry out the legislature's intent to
11 award moneys to specific organizations. This Act provides
12 technical corrections to Act 191 to permit the awarding of
13 moneys to specified organizations and extends the lapse date of
14 Act 191's appropriations from June 30, 2011, to June 30, 2012.

15 SECTION 3. Act 191, Session Laws of Hawaii 2010, is
16 amended as follows:

17 1. By adding a new section to read:

SB1288 HD1 HMS 2011-3627



1 "SECTION 24A. There is appropriated out of the emergency
2 and budget reserve fund of the State of Hawaii the sum of
3 \$1,900,000 or so much thereof as may be necessary for fiscal
4 year 2010-2011 as a grant pursuant to chapter 42F, Hawaii
5 Revised Statutes, to the Hawaii Primary Care Association for
6 adult dental care provided at federally qualified health
7 centers; provided that the funds shall not be used for any other
8 purpose. The governor is authorized to use enhanced federal
9 medical assistance percentages funds to offset the amount
10 appropriated; provided that the total amount shall not exceed
11 \$1,900,000. The department of human services shall prepare a
12 report on:

- 13 (1) The number of adults receiving these benefits;
14 (2) The cost per person;
15 (3) The total breakdown of administrative costs and other
16 overhead costs; and
17 (4) Statistics, if available, on how this dental program
18 is reducing the number of emergency dental-related
19 medical procedures;
20 provided that the department of human services shall submit its
21 report to the legislature no later than twenty days prior to the
22 convening of the regular session of 2012.



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

3 2. By adding two new sections to read:

4 "SECTION 40A. There is appropriated out of the emergency
5 and budget reserve fund of the State of Hawaii the sum of
6 \$100,000 or so much thereof as may be necessary for fiscal year
7 2010-2011 for Maui community college, University of Hawaii, for
8 the adult dental care program.

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

11 SECTION 40B. Any unexpended or unencumbered balance of any
12 appropriation made by this Act as of the close of business on
13 June 30, 2011, shall not lapse; provided that all moneys from
14 the appropriations that are unencumbered as of June 30, 2012,
15 shall lapse to the emergency and budget reserve fund."

16 SECTION 4. Act 191, Session Laws of Hawaii 2010, is
17 amended as follows:

18 1. By amending section 12 to read:

19 "SECTION 12. There is appropriated out of the emergency
20 and budget reserve fund of the State of Hawaii the sum of
21 \$332,000 or so much thereof as may be necessary for fiscal year
22 2010-2011 as a grant pursuant to chapter 42F, Hawaii Revised



1 Statutes, for the Waianae District Comprehensive Health and
2 Hospital Board, Incorporated to support its emergency room
3 services.

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

6 2. By amending section 16 to read:

7 "SECTION 16. There is appropriated out of the emergency
8 and budget reserve fund of the State of Hawaii the sum of
9 \$500,000 or so much thereof as may be necessary for fiscal year
10 2010-2011 as a grant pursuant to chapter 42F, Hawaii Revised
11 Statutes, for Kokua Kalihi Valley Comprehensive Family Services.

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

14 3. By amending sections 18 and 19 to read:

15 "SECTION 18. There is appropriated out of the emergency
16 and budget reserve fund of the State of Hawaii the sum of
17 \$200,000 or so much thereof as may be necessary for fiscal year
18 2010-2011 as a grant pursuant to chapter 42F, Hawaii Revised
19 Statutes, for the Windward Oahu Spouse Abuse Shelter.

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



1 SECTION 19. There is appropriated out of the emergency and
2 budget reserve fund of the State of Hawaii the sum of \$200,000
3 or so much thereof as may be necessary for fiscal year 2010-2011
4 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, for
5 the Blueprint for Change Program for Neighborhood Place Walk-in
6 Centers.

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

9 4. By amending sections 21 and 22 to read:

10 "SECTION 21. There is appropriated out of the emergency
11 and budget reserve fund of the State of Hawaii the sum of
12 \$762,500 or so much thereof as may be necessary for fiscal year
13 2010-2011 to provide funding for grants pursuant to chapter 42F,
14 Hawaii Revised Statutes, to support domestic violence shelters
15 statewide[-] and to be distributed as follows:

16	(1) <u>Child and Family Service</u>	
17	(A) <u>Two shelters on Oahu</u>	<u>\$206,429</u>
18	(B) <u>Two shelters on Hawaii Island</u>	<u>\$206,429</u>
19	(2) <u>Parents and Children Together</u>	<u>\$103,214</u>
20	(3) <u>Women Helping Women</u>	<u>\$103,214</u>
21	(4) <u>Molokai Community Service Council, Inc.</u>	<u>\$40,000</u>



1 (5) Young Women's Christian Association

2 (YWCA) of Kauai

\$103,214

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

5 SECTION 22. There is appropriated out of the emergency and
6 budget reserve fund of the State of Hawaii the sum of \$210,000
7 for fiscal year 2010-2011 as a grant pursuant to chapter 42F,
8 Hawaii Revised Statutes, for the Hale Mahaolu for personal care
9 services.

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

12 5. By amending section 30 to read:

13 "SECTION 30. There is appropriated out of the emergency
14 and budget reserve fund of the State of Hawaii the sum of
15 \$200,000 or so much thereof as may be necessary for fiscal year
16 2010-2011 as a grant pursuant to chapter 42F, Hawaii Revised
17 Statutes, to Adult Friends for Youth for youth gang prevention
18 and intervention services.

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

21 6. By amending sections 32, 33, 34, 35, and 36 to read:



1 "SECTION 32. There is appropriated out of the emergency
2 and budget reserve fund of the State of Hawaii the sum of
3 \$200,000 or so much thereof as may be necessary for fiscal year
4 2010-2011 as a grant pursuant to chapter 42F, Hawaii Revised
5 Statutes, for Volunteer Legal Services Hawaii to provide pro
6 bono legal services for indigent persons.

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

9 SECTION 33. There is appropriated out of the emergency and
10 budget reserve fund of the State of Hawaii the sum of \$720,000
11 or so much thereof as may be necessary for fiscal year 2010-2011
12 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, for
13 the Legal Aid Society of Hawaii to provide general civil legal
14 services.

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

17 SECTION 34. There is appropriated out of the emergency and
18 budget reserve fund of the State of Hawaii the sum of \$282,000
19 or so much thereof as may be necessary for fiscal year 2010-2011
20 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, for
21 the Hawaii Family Law Clinic to provide services to obtain
22 temporary restraining orders.



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

3 SECTION 35. There is appropriated out of the emergency and
4 budget reserve fund of the State of Hawaii the sum of \$150,000
5 or so much thereof as may be necessary for fiscal year 2010-2011
6 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, for
7 Catholic Charities Hawaii to provide intra-familial sex assault
8 treatment services.

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

11 SECTION 36. There is appropriated out of the emergency and
12 budget reserve fund of the State of Hawaii the sum of \$150,000
13 or so much thereof as may be necessary for fiscal year 2010-2011
14 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, for
15 the Children's Alliance of Hawaii, Inc., to provide child sex
16 assault treatment services.

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

19 7. By amending sections 38 and 39 to read:

20 "SECTION 38. There is appropriated out of the emergency
21 and budget reserve fund of the State of Hawaii the sum of
22 \$75,000 or so much thereof as may be necessary for fiscal year



1 2010-2011 as a grant pursuant to chapter 42F, Hawaii Revised
2 Statutes, to the [YMCA] Young Men's Christian Association of
3 Honolulu for the Weed and Seed Program.

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

6 SECTION 39. There is appropriated out of the emergency and
7 budget reserve fund of the State of Hawaii the sum of \$466,000
8 or so much thereof as may be necessary for fiscal year 2010-2011
9 as a grant pursuant to chapter 42F, Hawaii Revised Statutes, for
10 the Kapiolani Medical Center for Women and Children for the sex
11 abuse treatment center for statewide sex assault treatment
12 services.

13 The sum appropriated shall be expended by the department of
14 the attorney general for the purposes of this Act."

15 SECTION 5. Act 191, Session Laws of Hawaii 2010 is amended
16 by repealing section 24:

17 [~~SECTION 24. There is appropriated out of the emergency~~
18 ~~and budget reserve fund of the State of Hawaii for QUEST health~~
19 ~~care payments, the sum of \$2,000,000 or so much thereof as may~~
20 ~~be necessary for fiscal year 2010-2011 for the restoration of~~
21 ~~adult dental care formerly granted under program ID HMS 245~~
22 ~~QUEST health care payments; provided that the funds shall not be~~



1 ~~expended for any other purpose. The governor is authorized to~~
2 ~~utilize enhanced federal medical assistance percentages (FMAP)~~
3 ~~funds to offset the amount appropriated, provided that the total~~
4 ~~amount shall not exceed \$2,000,000. Any unexpended funds shall~~
5 ~~lapse to their respective funds.~~

6 ~~The department of human services shall prepare a 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.~~

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

19 SECTION 6. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 7. This Act shall take effect upon its approval.

APPROVED this 27 day of APR, 2011



GOVERNOR OF THE STATE OF HAWAII