

LATE

**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SIXTH LEGISLATURE, 2011**

ON THE FOLLOWING MEASURE:

S.B. NO. 120, RELATING TO STATE FUNDS.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Thursday, February 10, 2011 TIME: 9:00 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): David M. Louie, Attorney General, or
Randall S. Nishiyama, Deputy Attorney General

Chair Ige and Members of the Committee:

The Department of the Attorney General ("Department") provides the following comments regarding this bill. In addition, we oppose sections 5, 13, 14, 20, 52, 120, and 142 of this bill.

Introduction

S.B. No. 120 repeals various special and revolving funds and transfers the balances remaining in these funds as of June 30, 2011, to the general fund.

The Department offers our comments on the Legislature's ability to transfer non-general funds to the general fund given: (1) the specific facts of certain suggested transfers; (2) conflicts with certain federal requirements; (3) the decision of the Hawaii Supreme Court in Hawaii Insurers Council v. Lingle, 120 Haw. 51, 201 P.3d 564 (2008) (hereinafter "Hawaii Insurers Council"); and (4) other factors discussed herein, including administrative concerns with respect to the proposed transfers.

In particular, we object to section 5 of this bill, which repeals the Housing Project Bond Special Fund and the Housing Loan Program Revenues Bond Special Fund, section 201H-80, Hawaii

Revised Statutes (HRS); section 13 of this bill, which repeals the Tobacco Enforcement Special Fund, section 28-15, HRS; section 20, which repeals the Wireless Enhanced 911 Fund, section 138-3, HRS; section 14, which repeals the Medicaid Investigations Recovery Fund, section 28-91.5, HRS; section 52, which repeals the Cigarette Tax Stamp Administrative Special Fund, section 245-41.5, HRS; section 120, which repeals the Hawaii Tobacco Settlement Special Fund, section 328L-2, HRS; and section 142, which repeals the Solicitation of Funds for Charitable Purposes Special Fund, section 467B-15, HRS.

The Legislature's Ability to Transfer Non-General Funds to the General Fund Under Hawaii Insurers Council

Under Hawaii Insurers Council, special fund moneys derived from regulatory fees that are imposed by an administrative agency pursuant to authority delegated to the agency by the Legislature cannot be transferred to the general fund. The Hawaii Supreme Court determined that this type of transfer violated the separation of powers doctrine because administrative fees and assessments imposed by an administrative agency can only be used for the purpose of providing services to the persons or entities paying such fees. Any other use of the fees would constitute a tax, which can only be imposed by the Legislature.

The source of the money comprising the special fund is important, as it may be determinative as to whether the source of the money is a regulatory fee, a tax, or from a different source. The first prong of the regulatory fee test used by the Hawaii Supreme Court in the Hawaii Insurers Council case is whether the regulatory agency assessed the fee via an administrative rule. If so, the charge is more likely to be

regulatory fee than if the money was assessed via a statute enacted by the Legislature. If the fee is statutorily set by the Legislature, the charge is more likely to be a tax. Generally, the Hawaii Insurers Council case does not prohibit the transfer of moneys that are derived from fees set by statute.

The second prong of the analysis is to determine whether the moneys collected by a special or revolving fund are service or user fees, rather than regulatory fees. For example, there may be filing fees that are required for a registration renewal or parking fees for a state parking facility. Even if these fees were imposed by an administrative rule, an analysis would have to be performed to determine if such fees would be retained by the special fund or could be transferred to the general fund. The Hawaii Insurers Council case does not prohibit service or user fees from being transferred to the general fund.

Likewise, the purpose of the transfer is important. The third prong of the foregoing regulatory fee test is whether the moneys are used for a public purpose or to defray regulatory expenses. If the subject moneys are used for a public purpose, then such moneys are more likely to be taxes which may be transferred to the general fund.

Consequently, in distinguishing a regulatory fee from a tax, all of these factors have to be taken into consideration and balanced against a careful analysis of the facts and circumstances of the particular situation.

This bill as currently drafted, however, takes a blanket approach in transferring moneys from the various non-general funds to the general fund without consideration of the Hawaii Insurers Council case or other applicable governing provisions. The repeal of the non-general funds listed in this bill would

cause the revenues collected by these non-general funds, which may include regulatory fees, to be deposited into the general fund. This may subject the proposed transfers to challenge.

We suggest that the discrete components of the specified non-general funds listed in this bill be reviewed to determine whether moneys derived from such components may be transferred to the general fund.

Opposition Regarding Certain Special Funds

Section 5 Housing Project Bond Special Fund and the Housing Loan Program Revenues Bond Special Fund, Section 201H-8

We object to section 5 of this bill, which proposes the repeal of the Housing Project Bond Special Fund and the Housing Loan Program Revenues Bond Special Fund, established for each housing project or system of housing projects for loan programs financed from the proceeds of bonds secured by a trust indenture. This action would be contrary to the trust indenture, which is a contract between the State and the holders who purchased the subject bonds. Under the trust indenture, the State agreed contractually to maintain these special funds as security for the bonds. Repeal of these special funds would be a breach of the trust indenture and subject the State to a lawsuit from the holders of the subject bonds for impairing the security of such bonds.

Section 13 Tobacco Enforcement Special Fund, Section 28-15

We object to section 13 of this bill, which proposes the repeal of the Tobacco Enforcement Special Fund.

The unintended consequence of this measure will be the unraveling of the regulatory and diligent enforcement structure that has been created to maximize the State's receipt of

millions of dollars in moneys from the Tobacco Master Settlement Agreement (MSA) and cigarette tax dollars. In addition, the Department of the Attorney General is concerned there may be an argument that elimination of the Tobacco Enforcement Special Fund and Cigarette Tax Stamp Administrative Special Fund may be subject to challenge under Hawaii Insurers Council v. Lingle, 120 Haw. 51, 201 P.3d 564 (2008).

First, a significant portion of the Tobacco Enforcement Special fund is funded by the cigarette tax stamp regulatory fee in accordance with the provisions of section 245-26, HRS. In reviewing the context of the use of the funds from the Tobacco Enforcement Special Fund we note that courts in distinguishing a regulatory fee from a tax, "have tended . . . to emphasize the revenue's ultimate use, asking whether it provides a general benefit to the public, of a sort often financed by a general tax, or whether it provides more narrow benefits to regulated companies or defrays the agency's costs of regulation." Section 28-15, HRS, which establishes the Tobacco Enforcement Special Fund, directs that the moneys from the special fund shall be used for administering, operating, monitoring, and ensuring compliance with and enforcement of:

- (1) The Master Settlement Agreement as defined in chapter 675 and any other statutes or programs relating to that agreement;
- (2) Chapter 675;
- (3) Tobacco prevention programs;
- (4) The cigarette tax stamp as defined in chapter 245 and any other statutes or programs relating to that chapter;
- (5) Chapter 245;
- (6) Chapter 486P and any other statutes or programs relating to that chapter; and
- (7) Any other requirement deemed necessary to carry out the purposes of the fund.

The moneys from the cigarette tax stamp regulatory fee are

used for inspections, investigation, and criminal prosecution of violations of chapter 245, HRS, related to the taxing of cigarettes and other tobacco products.

Since the implementation of the tax stamp program on January 1, 2001, cigarette tax revenues have increased significantly. Cigarette tax revenues increased from \$40,049,539 in fiscal year (FY) 1999-2000 to \$51,739,469 in FY 2000-2001 (an increase of \$11,689,930 or approximately 29 percent) even though the tax stamp program was in effect for only half of FY 2000-2001 and effective enforcement began at the retail level only three months before the end of FY 2000-2001. In FY 2009-2010, cigarette tax revenues increased by \$15,493,164 (approximately 12.9 percent) over FY 2008-2009.

Elimination of the Tobacco Enforcement Special Fund will bring an end to the effective enforcement of the regulatory structure that has been built over the past decade. The Tobacco Enforcement Special Fund provides the funding, which allows the Department of the Attorney General to conduct inspections, including unannounced inspections, of wholesalers and distributors, retail establishments, and cigarette vending machines for compliance with the Cigarette Tax and Tobacco Tax Law. Approximately 1,542 retailers hold Retail Tobacco Permits: 964 on Oahu, 210 on Hawaii, 190 on Maui, 89 on Kauai, 14 on Molokai, 9 on Lanai, and 66 mobile vendors. Inspections have been conducted on all of these islands. These inspections have resulted in over 160 felony arrests, the seizure of 2.3 million illegal cigarettes, and criminal fines of almost \$200,000 .

Second, elimination of the Tobacco Enforcement Special Fund will affect the State's ability to continue to receive moneys from the MSA if the State is unable to diligently enforce chapter 675, HRS, and the terms of the MSA. The persistent

diligent enforcement of the MSA is essential to the State's continued receipt of MSA moneys. The State is currently involved in a nation-wide arbitration to determine whether individual states diligently enforced their respective model statutes for the year 2003. Hawaii is unique amongst the states in that the entire regulatory process surrounding MSA compliance rests with the Department of the Attorney General. Failure to diligently enforce the Tobacco Liability Act may result in a state losing a significant portion if not all of its Master Settlement Agreement payments.

Third, the total revenues received by the State due to aggressive tobacco enforcement in FY 2009-2010 totaled \$170,848,832 (\$119,926,741 in cigarette taxes and \$50,922,091 in MSA payments). We believe that this represents a significant return on the moneys invested in the program.

Fourth, the Tobacco Enforcement Special Fund is self-sustaining and meets all of the statutory requirements to establish and maintain a special fund as set forth in section 37-52.3, HRS. The Tobacco Enforcement Special Fund serves the purpose for which it was established. The use of the moneys reflect a clear nexus between the enforcement of the MSA, chapter 675, chapter 486P, HRS, and the cigarette tax requirements of chapter 245, HRS, and are not used primarily as a means to provide the program or users with an automatic means of support which is removed from the normal budget and appropriation process.

Fifth, pursuant to section 28-15(c), HRS, all unencumbered and unexpended moneys in excess of \$500,000 remaining on balance in the Tobacco Enforcement Special Fund at the end of each fiscal year lapses to the credit of the State's general fund.

Section 14 Medicaid Investigations Recovery Fund, Section
28-91.5

We object to section 14 of this bill, which proposes the repeal of the Medicaid Investigations Recovery Fund (MIRF) because repeal of the MIRF would cast grave doubt upon the Medicaid Fraud Control Unit's (MFCU) ability to carry out our federal mandate under 42 U.S.C. section 1396(b) and 42 C.F.R. section 1007. Furthermore, funding for the State's Medicaid Program could be in jeopardy because the maintenance of a viable MFCU is a precondition to the federal Medicaid grant under 42 U.S.C. section 1396, which funds our Medicaid Programs.

The MIRF is distinct from all of the other funds under scrutiny in S.B. No. 120 because the MIRF is comprised of penalties and costs specifically designated to the MFCU as a by-product of federal and state civil fraud settlements. None of the money comes from assessments or fees. None of the money is designated for *beneficiaries* of any *program*. All of the money deposited into the MIRF comes from civil settlements and the money is utilized solely to enable MFCU to carry out its federal mandates.

The state general fund already receives the lion's share of civil settlements obtained by the MFCU. In addition to the penalties and costs placed in the MIRF, the Department of Human Services (DHS) receives full restitution for fraud committed against the Medicaid Program. DHS also receives its pro-rata share of either double or triple damages in most cases. As such, DHS is made more than whole through its portion of the settlements. The money that the MFCU recovers on behalf of DHS is deposited into the state general fund. Over the past five fiscal years, the MFCU has recovered more than \$4,000,000, of

which more than half has been deposited into the State general fund.

As for the funds placed into the MIRF, they are utilized solely to fund the MFCU's investigations and prosecutions. There is also a 75 percent federal match for the money in the MIRF, and that match may be in jeopardy if the MIRF is not maintained. No general fund moneys are utilized by the MFCU. The MFCU is a self-sustaining entity reliant upon settlements that result from fraud cases, mostly national cases in origin, but occasionally locally generated cases.

To subject the MFCU to the uncertainties of being funded by general funds could seriously jeopardize the MFCU, particularly if it were determined that fraud investigations and prosecutions were no longer an administrative or legislative priority. More importantly, without the MIRF, the State may not be able to fund the 25 percent match to sustain the operations of the MFCU. The MFCU screens more than 1,200 complaints of abuse and financial exploitation annually. Approximately 10 percent of those complaints result in investigations, and 10 percent of those in prosecutions. We also field complaints directly from MedQuest DHS that involve provider fraud. These criminal cases require exhaustive investigation to bring to court. Additionally, we partake in more than 60 national fraud cases, some of which require the attorneys to monitor and engage in substantial civil discovery, complaint drafting, monitoring, and motions practice.

We note that in the past, the Legislature has transferred moneys from the MIRF and deposited it into the general fund. Sufficient funds have always been left in the MIRF to cover 25 percent of the MFCU's operating costs for the following two fiscal years; thus, the federal match is not substantially jeopardized. Nor is the MFCU's viability compromised. Over the

most recent five fiscal years, more than \$4,500,000 has been transferred to the general fund from the MIRF. We respectfully request that the Legislature not repeal the MIRF because it portends dire consequences for the operations of the MFCU and the federal contribution to the State of Hawaii's Medicaid Program.

Section 52 Cigarette Tax Stamp Administrative Special Fund,
Section 245-41.5

We object to section 52 of this bill which proposes the repeal of the Cigarette Tax Stamp Administrative Special Fund.

At present, the Cigarette Tax Stamp Administrative Special Fund is funded by a regulatory fee, which is authorized by section 245-26, HRS (hereinafter the cigarette tax stamp regulatory fee).

The cigarette tax stamp regulatory fee is a regulatory fee that is imposed in addition to the cigarette tax (at the incumbent rate of 15 cents per cigarette), which is paid for by those who are licensed by the State of Hawaii as wholesalers and dealers of cigarettes and who are also authorized to purchase and apply cigarette tax stamps.

The cigarette tax stamp regulatory fee is paid by licensed wholesalers and distributors who are authorized by the Department of Taxation to purchase cigarette tax stamps. Tax stamps have proven to be an effective method of collecting cigarette taxes. The application of a stamp printed, manufactured, or made by authority of the Department of Taxation when placed on the bottom of a pack of cigarettes indicates that the tax on the cigarettes has been paid.

Prior to the imposition of the tax stamping program (in FY 199-2000) cigarette taxes of \$40 million dollars were collected

on approximately 800 million cigarettes at a tax rate of 5 cents per stick. With tax stamping, which began on January 1, 2001, tax revenues increased to \$51 million at the end of FY 2000-2001. In FY 2001-2002 cigarette tax revenues increased to \$62 million or 1.2 billion cigarettes at the 5 cents per stick tax rate. In FY 2009-2010, cigarette tax revenues, at the tax rate of 13 cents per stick, totaled \$119,926,741. Simply put, the tax stamps are an integral part of the State obtaining a full measure of cigarette taxes.

Section 120 Hawaii Tobacco Settlement Special Fund, Section 328L-2

We object to section 120 of this bill, which proposes the repeal of the Hawaii Tobacco Settlement Special Fund.

The Hawaii Tobacco Settlement Special Fund allocates to various State purposes the tobacco settlement moneys received by the State from the major tobacco manufacturers under the Master Settlement Agreement.

Under the distribution of the tobacco settlement moneys, the Department receives \$350,000 to be used for tobacco enforcement actions funded through the Tobacco Enforcement Special Fund. The repeal of the Hawaii Tobacco Settlement Special Fund would cause the Department to lose this funding to pursue cigarette law violations.

Also, section 328L-2(b)(4) allocates a portion of the tobacco settlement moneys to the University Revenue Undertakings Fund, section 304A-2167.5, HRS, to be used to pay debt service on revenue bonds issued to finance the University of Hawaii's Health and Wellness Center in Kakaako, Oahu, and to be used for operating expenses of the John A. Burns Medical School. We understand that this revenue source is essential for the

University of Hawaii to remain in compliance with the debt covenants on the revenue bonds issued to finance its Health and Wellness Center.

Section 142 Solicitation of Funds for Charitable Purposes
Special Fund, Section 467B-15

We object to section 142 of this bill which proposes the repeal of the Solicitation of Funds for Charitable Purposes Special Fund.

The purpose of the Solicitation of Funds for Charitable Purposes Special Fund is to provide a source of funding to provide regulatory oversight over charities and professional fund raisers operating within the State. It is funded by regulatory fees paid by all charities and professional fund raisers operating within the State, with certain exceptions.

The Solicitation of Funds for Charitable Purposes Special Fund currently funds two deputy attorney general positions and one legal assistant position and funds 50 percent of the division supervisor's compensation. All of these positions are devoted to the Attorney General's common law and statutory oversight functions over public charities, private foundations and charitable trusts.¹ The Fund is also used to maintain and operate Hawaii's Internet based registration system for charities that must register under section 467B-2.1, HRS. See www.ehawaii.gov/charity and www.efile.form990.org

The repeal of this fund would effectively eliminate these positions and statutory functions and duties, unless corresponding general funding is made available to the

¹These statutes include chapters 323D, 414D, 517E, 467B, and section 431:1-204(c)(1)(C), Hawaii Revised Statutes, and the Federal Telemarketing Sales Rule.

Department of the Attorney General to fund these positions and functions. This would be regrettable because, since 2007, Hawaii has gone from having amongst the most "lax" charitable oversight program², to one the most effective, efficient, and publicly accessible registration laws and oversight function.

Additionally, the Department is concerned there may be an argument that elimination of the Solicitation of Funds for Charitable Purposes Special Fund may be subject to challenge under the Hawaii Insurers Council case.

Section 20 Wireless Enhanced 911 Fund, Section 138-3

We oppose the repeal of the Wireless Enhanced 911 Fund. The fund contains the 66-cent monthly surcharge collected from wireless phone accounts. Federal law prohibits the use of these surcharges for other purposes. The 911 fund is essential to the timely delivery of emergency services by public safety personnel to E911 callers. The statewide E911 system annually receives and responds to over 1.2 million 911 calls.

Other Non-General Funds

The transfer of moneys from the following non-general funds to the general fund may result in adverse tax consequences because general obligation bonds were used to fund these funds. Consequently, bond counsel should be consulted.

Section 15 State Educational Facilities Improvement
Special Fund

Section 17 Works of Art Special Fund

Also, we note that moneys donated to non-general funds may be encumbered by conditions imposed by the donors of such

² See "Hawaii's Rules Lax on Oversight of Charities," Honolulu Advertiser, Sept. 16, 2007

moneys. Failure to comply with such restrictions may result in a challenge to the bill's proposed transfer of such funds to the general fund or the State having to return such donations to the donors.

As you know, federal moneys must be used consistent with the conditions imposed by the federal government. We note that section 147(b) of this bill seeks to segregate such moneys upon the transfer of federal moneys to the general fund.

Section 147(b) states:

(b) The director of finance shall identify any special funds that are repealed in part I of this Act that contain or receive deposits from any federal funding source and is authorized to transfer the portions of those balances consisting of federal funds into corresponding separate special accounts within the general fund to enable the continuation of the purposes funded by the federal funding sources.

However, when moneys are deposited into the general fund, they become fungible, that is, a dollar in the general fund is the same as any other dollar in the general fund. Consequently, to facilitate the segregation of federal moneys upon the repeal of the non-general funds as proposed by this bill, we suggest that section 147(b) be amended as follows:

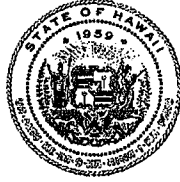
(b) The director of finance shall identify any special funds that are repealed in part I of this Act that contain or receive deposits from any federal funding source and is authorized to transfer the portions of those balances consisting of federal funds into corresponding separate special accounts within the [~~general fund~~] state treasury to enable the continuation of the purposes funded by the federal funding sources.

Testimony of the Department of the Attorney General
Twenty-Sixth Legislature, 2011
Page 15 of 15

[Statutory material to be repealed is bracketed and stricken.
New statutory material is underscored.]

L A T E

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
ACTING DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Ways and Means

**S.B. 120, Relating to State Funds
Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Acting Director of Health**

February 10, 2011

1 **Department's Position:** The Department strongly opposes this measure.

2 **Fiscal Implications:** These special funds provide funding for operating expenses and many also fund
3 staffing for these programs. Unless these special funded positions and operating expenses are replaced
4 with general funds, the programs will be severely hampered or cease to operate.

5 **Purpose and Justification:** S.B. 120 repeals many of the Department's special funds and transfers the
6 balances to the General Fund. The programs impacted by this measure provide critical services to
7 maintain the health and safety of the people of Hawaii.

8 Pursuant to Section 37-52.3 (1), Hawaii Revised Statutes (HRS), relating to the criteria for the
9 establishment and continuance of special funds, a Special Fund serves the purpose for which it was
10 originally established and also reflects a clear nexus between the benefits sought and charges to its users
11 and beneficiaries. Also, Section 37-62, HRS, defines "Special Funds" as "funds which are dedicated or
12 set aside by law for a specified object or purpose." As such, the special funds and the revenues
13 deposited into these special funds from assessed fees or fines, have a clear nexus to the programs that
14 are funded by these special funds.

1 For example, the Environmental Management Special Fund (EMSF) funds a total of
2 9.00 positions in the Solid and Hazardous Waste Branch. Positions funded by the solid waste tip fee are
3 required to develop and implement departmental rules on solid waste management activities, implement
4 the requirements of the Resource Conservation and Recovery Act (CFR part 258); review and approve
5 or disapprove permit applications for solid waste management, special waste, and materials recycling
6 facilities; inspect and assure compliance of permitted waste management facilities; investigate and
7 initiate enforcement actions against violators and illegal operations; analyzes monitoring data relating to
8 groundwater contamination, ash management and landfill gas generation; respond to complaints
9 regarding illegal dumping or disposal of solid waste, or other special wastes. There are no other state
10 agencies that would be able to provide these services. The position funded by the glass advanced
11 disposal fee provides oversight to contracts for the recycling glass containers in each county. There are
12 no other state agencies that would be able to provide these services. The reduction may have significant
13 impact on funding glass recycling programs and may also result in a warm body reduction-in-force at
14 the county level. Revenues from the advance tire surcharge fee are collected from companies that
15 import new tires into Hawaii (tire wholesalers and new car dealers) and are intended for cleaning up
16 illegal tire dumps throughout the state. The transfer of funds would eliminate the State's ability to
17 initiate a cleanup of any tire piles that pose a risk to human health and the environment. Given the
18 current economic climate, we expect more illegal dumping associated with companies avoiding cost to
19 properly dispose and/or abandoning tires.

20 Another example is the Early Intervention Special Fund which provides funding for mandated
21 services and funds 5.00 permanent filled and 2.00 filled temporary FTE positions. Without adequate
22 funding, authorized mandated services may be suspended or not provided once allocated funds are
23 depleted. The State may then be out of compliance with Part C of IDEA.

1 Other examples of DOH special funds that are used to provide staffing include the Sanitation and
2 Environmental Health Special Fund (3.00 permanent positions), Tobacco Settlement Special Fund
3 (37.00 permanent and 1.00 temporary positions) and Clean Air Special Fund (41.00 permanent
4 positions).

5 Further, the proposed repeal of the Clean Air Special Fund and the transfer of the special fund
6 balance to the State General Fund would be in direct conflict with Federal Law 502(b)(3)(C)(iii) which
7 mandates that all fees collected by the State under this law shall be used for costs associated with the
8 permit program. The Environmental Protection Agency Region 9 confirmed this to the Department of
9 Health (DOH) in two letters dated 4/9/98 and 3/24/09 and the State Attorney General affirmed this
10 understanding in a letter to the Director of the DOH on 4/24/98. It appears a violation of Federal Law if
11 the funds in the Clean Air Special Fund get used for any other purpose than intended.

12 For your reference, we have also attached statements from the various programs stating their
13 concerns about this measure.

14 Thank you for the opportunity to testify.

15
16
17
18
19
20
21
22
23
24

TITLE XIX Med Quest Carve out/General Outpatient (S306H account) - Under the legal authority of Section 334-115.HRS, this CAMHD revenue account intended to deposit revenues collected from treatment services rendered by mental health and substance abuse programs operated by the state. Sources of revenues from this account are: (1) Investment pool interest (Budget & Finance investment interest paid which is then distributed to pool members, such as CAMHD), (2) reimbursement through DHS for administrative cost claims (Random Moments Survey), (3) reimbursement for Medicaid eligible current services (Federal reimbursements), and (4) refund/reimbursement of prior period expenditures (including, DOE, OYS reimbursements and overpayment to vendors/providers). Program activities include assuring a comprehensive array of mental health services for children and adolescents as well as the funding of salaries for Quality Assurance Specialists at the CAMHD Family Guidance Centers.

HTH 141KJ – Public Health Nursing Branch

Public Health Nursing Services Special Fund
Section 321-432, HRS (Act 149/2002)
Appropriation: S308 H525

Impact of SB 120, Section 116:

PHN Special Fund was originally set up to capture reimbursements from DHS for services provided under their Case Management for Medically Fragile Children program. PHNs provided nursing assessments and case management to children with medical and health care needs. The money in the Special Fund is earmarked for training for PHN staff to increase their skills in working with children with health care needs.

PHN has not provided services since 2003 due to changes in DHS service delivery programs. No services will be lost and there is no cost impact.

2/8/11

SB 120 – Impact Statement
HTH 420

Mental Health and Substance Abuse Special Fund

The purpose of this special fund is to deposit all revenue collected from treatment services rendered by mental health and substance abuse programs operated by the State. The source of revenue includes payments from Medicaid, Medicare, and patients.

The special funds are used for the provision of community-based outpatient services, case management services, psychosocial rehabilitation services, crisis services, residential services, and treatment services for individuals with severe and persistent mental illness. Allowable expenses are expenses incurred to provide or support the program activities for both State-operated Community Mental Health Centers and contracted purchase of service (POS) providers.

The loss of these special funds will result in a decrease in the number of individuals served by contracted POS providers.

Impact of Abolishment of Vital Statistics Improvement Special Fund

The Vital Statistics Improvement Special Fund is used to keep OHSM operating. Originally established to modernize and enhance the statewide vital statistics system, the funds are currently used to operate the vital statistics system. Generally all other current expenses, such as supplies, telephone and copier costs, are paid from this special fund. Some payroll costs are paid from this special fund, as well. The special fund is funded by revenues collected for the issuance of certified copies of birth, death and marriage certificates. Without these funds, the OHSM will not be able to operate, the vital function of providing statewide registration of births, deaths and marriages would cease and there would be no issuance of certified copies needed by the public. This includes the 10,000 deaths, 24,000 marriages and 18,000 births we register annually, as well as the 300,000 copies we issue every year.

TEXT TO BE INCLUDED IN THE DOH TESTIMONY ON SENATE BILL 120

Section 132 of Senate Bill 120 proposes to repeal the Disability and Communication Access Board Special Fund (HTH 520) as established under §347F-7, Hawaii Revised Statutes. This fund is currently used to deposit applicant fees for sign language interpreter testing, with the monies collected used to pay for the cost of test evaluations. Although the fees do not cover the cost of staff administering each test, the fees cover the marginal cost of each test that is offered. To eliminate this fund would be to jeopardize the state interpreter credentialing program.

Furthermore, the Legislature is considering several other bills proposed by the Disability and Communication Access Board that intends to use the Special Fund as the repository for monies collected from fees for blueprint reviews and from the motor vehicle registration fee, both intended to make portions of its program self sufficient. Repealing this fund would negate those efforts to move towards self sufficiency and off reliance of the general fund.

We oppose the repeal of this Special Fund.

RE: Section 115, SB 120 proposes to repeal Birth Defects Special Fund - Impact

Source of funds: \$10 of each marriage license fee collected by the Hawaii State Department of Health (DOH) is deposited to this special fund

Purpose of fund: The Birth Defects Special Fund is used to pay for the operating expenses of the Hawaii Birth Defects Program (HBDP) which is mandated pursuant to §321-422, Hawaii Revised Statutes (HRS) as follows:

"The department of health shall establish the statewide birth defects program to:

- (1) Collect surveillance information on birth defects and other adverse reproductive outcomes;
- (2) Report the incidence, trends, and causes of birth defects and other adverse reproductive outcomes;
- (3) Report information for the development of prevention strategies to reduce the incidence of birth defects and other adverse reproductive outcomes; and
- (4) Develop strategies to improve the access of children with birth defects to health and early intervention services."

HBDP is a population-based active surveillance system for birth defects and other adverse pregnancy outcomes. Since 1988, it has been an accurate, complete, and timely source of statewide data on infants with specific birth defects, and pregnancies resulting in adverse reproductive outcomes. It annually finds and collects demographic, diagnostic, and health risk information on 800 to 1,000 infants diagnosed with a birth defect. Approximately 4.4% of all births have a birth defect. Data are analyzed for incidence, trends, and clustering, which contribute to the identification of genetic, environmental hazards, and other causes or risk factors for birth defects. HBDP was established as a DOH program pursuant to Act 252 SLH 2002 under Part XXXIV, Chapter 321, HRS.

The following are examples of HBDP data use:

- HBDP birth defects data for cleft lip/palate and other craniofacial (head/face) conditions were used in the decision to develop a Cleft and Craniofacial Center at Kapiolani Medical Center for Women and Children.
- HBDP birth defects data were used when concerned residents in the Village Park and Royal Kunia areas had perceived an increased number of birth defects that were attributed to environmental hazards. HBDP data showed that birth defects rates were not more prevalent in the Village Park and Royal Kunia areas compared with the entire state.
- The federal Department of Defense "Gulf War Syndrome Project" used HBDP data in investigating birth defects among infants of Persian Gulf War veterans born in Hawai'i from 1969-1993. HBDP data showed that birth defects were not more prevalent in Gulf War veterans.
- A concerned citizen on Molokai perceived an unusually high number of birth defects, cancer, and other health problems, and contacted the DOH on numerous occasions. To respond to concerns, HBDP analyzed data for 105 standard birth defects categories for infants/fetuses to Molokai residents and concluded that there was no apparent increased risk for any of the birth defects categories.
- HBDP monitors increases in birth defects, such as when there had been a doubling in rate of neural tube defects (which is a preventable birth defect).

Impact of repealing the birth defects special fund – Without the HBDP:

- There will not be a source of accurate and complete data about birth defects in the state.
- There will be no data on birth defects to assist in decision-making about appropriate prevention and intervention services for birth defects.
- There will not be data to assist in investigations of actual or perceived increased birth defects by state agencies, communities, and/or individuals.
- There will not be monitoring of birth defects to identify increased rates, which could be an early warning sign of environmental exposures.

Cost of the program vs. revenues: The revenue for this special fund is dependent upon the number of marriage licenses issued; thus it experiences annual fluctuation. The following table reports the actual revenues and expenditures for the last three fiscal years.

Actuals	FY 08	FY 09	FY 10	Avg. per year
Revenues	326,778	237,139	266,614	276,844
Expenditures	218,481	247,539	147,084	204,368
Balance	108,297	(10,400)	119,530	72,476

Revenues were reduced in FY 2009 due to lower than estimated marriage licenses issued. Expenditures in FY 2008 and FY 2010 were reduced due to vacant positions which could not be filled due to Budget Execution Policies and Instruction "Workforce Control" directives. This special fund has never experienced any cash deficits in the past and no cash deficits are projected for FY 2012 and FY 2013.

Note that a negative balance in one fiscal year can be covered by previous surplus balances, and this special fund supports 1.00 permanent filled and 4.00 temporary FTE positions in which three are currently vacant. Previously the work was performed through an RCUH contract but it was felt that since this is a mandated program, that the positions should be in-house. There is a proposal pending at DB&F to convert these four temporary positions to permanent in order to stabilize the workforce.

**S.B. 120, Section 110 – Repeal of Community Health Centers Special Fund
Impact Statement**

1. **Source of the Funds:** Cigarette tax pursuant to Section 245-15, HRS with the Community Health Centers (CHC) Special Fund established under Section 321-1.65, HRS (Act 316 SLH 2006).
2. **Purpose/Use of Funds:** The Family Health Services Division (FHSD) has comprehensive primary care contracts with federally qualified health centers (FQHCs) to provide medical (perinatal, pediatric, adult primary care) and support services to uninsured and underinsured individuals that are at or below two hundred fifty percent (250%) of the Federal Poverty level. Optional services include behavioral health care and dental treatment services. In FY 2011, approximately \$3,444,295 is being allocated for the comprehensive primary care contracts. In addition, FHSD has allocated cigarette tax revenues for contracts with Hana Health (\$1,130,000) and the Waianae Coast Comprehensive Health Center (\$1,468,000) to provide urgent/primary care and twenty-four hour emergency services, respectively.
3. **What Services would be Lost and the Impact on the Population:** If comprehensive primary care services are eliminated, thirteen (13) FQHCs will not receive reimbursement for approximately 36,256 medical, behavioral, and dental treatment visits for 14,502 uninsured clients. This will have a negative impact upon the economic survival of the FQHCs who serve the State's most vulnerable populations and who are now being inundated with uninsured patients because of the State's stagnant economy.

In FY 2010, the Waianae Coast Comprehensive Health Center served approximately 10,682 patients in its 24-hour emergency services operation, of which 2,318 patients were served between the hours of midnight to 8:00 a.m. There were approximately 16,509 patient visits in its 24-hour operation, of which 2,715 visits occurred between the hours of midnight to 8:00 a.m. If the CHC special funds is repealed, the agency will be forced to eliminate emergency services between the hours of midnight to 8:00 a.m. which will have a detrimental impact upon the community, as the nearest emergency facility is miles away at the Hawaii Medical Center-West.

Hana Health served 1,827 patients in FY 2010. There were approximately 6,455 primary care visits in fiscal year 2010, of which 384 were after hours urgent care visits. If the CHC special fund is repealed, Hana Health will stand to lose \$1,130,000, and this will force the center to terminate its urgent care services which is vital to this isolated geographic location. Hana Health has relied on grants from the State for many years to sustain its operations. In addition to terminating urgent care services, the center will need to drastically curtail its primary care services with a financial loss in the magnitude of \$1,130,000.

4. **The Cost of the Program versus Revenues:** The Program costs are well contained within the revenues received per year. For example, in FY 2010, the above mentioned contracts to FQHCs amounted to \$5,721,526, and the amount of revenues collected was \$6,753,856. However, please note that a certain amount of carryover balance is needed to enable the services to be reimbursed at the beginning of the ensuing fiscal year.

RE: Section 108, SB 120 proposes to repeal the Domestic Violence and Sexual Assault Special Fund - Impact

In 1997, Act 216 (HRS §321-1.3) established the Domestic Violence Prevention Special Fund to be administered and expended by the Department of Health (DOH). The monies in the special funds are reserved for use by the DOH for programs or purchase of services that support or provide domestic violence and sexual assault intervention or prevention as authorized by law. This statute further states that monies "shall be used for new or existing programs and shall not supplant any other money previously allocated to these programs." The DOH has designated this special fund for primary prevention efforts.

Act 142, SLH 2005 changed the name to the Domestic Violence and Sexual Assault Special Fund, and the fund hereinafter is referred to as the "DVSASF." Act 142 also expanded the annual report to the Legislature to include recommendations on how to improve services for victims of domestic violence and sexual assault.

The DVSASF generates revenue through fees for vital records certified copies under HRS §338-14.5 and taxpayers designating a portion of their state income tax refund (pursuant to HRS §235-102.5) to the DVSASF (approximately \$1.25 per taxpayer/\$2.50 when joint filers). Also contributions from private or public sources can be deposited for the purposes of the fund.

Major accomplishments funded by the DVSASF include:

Hawai'i State Coalition Against Domestic Violence (HSCADV) - The HSCADV contract runs until June 30, 2011, with an option to be extended an additional 2 years to move the State's Strategic Plan forward. The Strategic Plan goes through 2012, however we are approximately a year behind because of the slow start up. If we are able to extend the contract an additional 2 years, through 2013, we would have fulfilled the plan's activities and utilized the Coalition's contract. These funds support task forces on each island. Task forces have been implementing the State's Strategic plan for prevention of domestic violence.

University of Hawai'i at Manoa, Women's Center University of Hawai'i at Manoa, Women's Center – Development of an infrastructure model to address sexual violence prevention including sexual assault, dating violence, stalking and cyber-stalking, and victim services through the establishment of a Sexual Violence Prevention Task Force on ten (10) university and community college campuses within the five-year period (October 2007 - June 2011). Currently there are eight (8) task forces that have been developed in Years 1-3 including Kapiolani Community College, University of Hawai'i at Hilo, Hawai'i Community College, Honolulu Community College, Maui Community College, University of Hawai'i West Oahu, Kauai Community College, and Leeward Community College. This model will be replicated at Windward Community College and hopefully University of Hawai'i at Manoa in the next year. All participating campuses convened for a one-day conference in October 2010 to discuss project sustainability efforts and bystander intervention education on campuses. Community college task forces convene monthly program and sustainability meetings.

Honolulu Theater for Youth (HTY) – Presentation of sexual violence prevention education through theater performances of a play entitled "Choice" for female high school students to increase their awareness of sexual violence. Post-performance, single gender-specific discussion groups between trained leaders and students offered in-depth interactive learning experiences. In June 2010, HTY had completed forty (40) performances of "Choice" and "Girls' Choice" as part of a tour of Oahu schools. There were eight (8) performances at neighbor island schools of the plays.

JBN Solutions – Development of a comprehensive evaluation to measure the effectiveness of the Sex Abuse Treatment Center (SATC) sexual violence prevention curricula for teachers of students K–12 and of the teachers training. Evaluation design includes age-appropriate measures of changes in knowledge, oversight of database structure, data entry, data analysis, teacher training satisfaction measurement, and the extent to which teachers are teaching the curriculum as intended by SATC.

Domestic Violence Fatality Review – HRS §321-472 authorizes the DOH to conduct multidisciplinary and multiagency reviews of domestic violence fatalities to reduce the incidence of preventable deaths. These funds support the review team(s) on each island. Pending Governor's approval, these funds will also support the team with a database system and data analysis.

University of Hawaii – Teen dating violence - The UH contract for Teen Dating Violence is a 3 year contract that began in 2009. It is on schedule to end June 30 2012. Loss of funds would jeopardize the research midstream as they are in the implementation phase; and will complete the evaluation phase in the last year of the project.

These activities are well into their operational life cycles and should funding be removed, not only would all current and future activities get cancelled, but we would sacrifice all prior work completed under these projects.

The DVSASF also supports a 0.50 permanent filled RN V position and operating expenses for the position.

RE: Section 9, SB 120 proposes to repeal the Drug Demand Reduction Assessments Special Fund - Impact

Pursuant to Section 706-650 (3), Hawaii Revised Statutes (HRS), the Drug Demand Reduction Assessments (DDRA) Special Fund "shall be used to supplement substance abuse treatment and other substance abuse demand reduction programs" through the imposition of monetary assessments in cases involving persons convicted of an offense related to drugs and intoxicating compounds under Part IV of Chapter 712, HRS, and Chapters 291 and 291E, HRS. Assessments are applicable to persons who are convicted, or charged with an offense and have been granted a deferred acceptance of guilty (DAG) or no contest plea (DANC).

Act 152 Session Laws of Hawaii (SLH) 2004, added "driving under the influence" (DUI) offenses for which drug demand reduction assessments are imposed, which increased the amount of funding generated to supplement funding for substance abuse prevention and treatment services. Prior to payment of the assessment, an offender is required to pay restitution, probation and crime victim compensation fees; the burden of showing an inability to pay fees is placed on the offender.

A reduction or loss of DDRA special funds adversely impacts the Alcohol and Drug Abuse Division efforts to provide a range of programs and services within the continuum of substance abuse prevention, intervention and treatment statewide. If gains are to be sustained, it is imperative that the DDRA special fund continue to be used to address the overall demand for drugs by supporting effective substance abuse prevention and treatment services within our communities.

RE: Section 114, SB 120 proposes to repeal the Early Intervention Special Fund - Impact

Source of funds: Primarily Federal reimbursements from Medicaid.

Purpose of fund: The purpose of the early intervention special fund is to expand and enhance early intervention services for infants and toddlers with special needs.

The Early Intervention Section provides early intervention services for children age 0-3 years with developmental delays or at biological risk, as required by Part C of the Individuals with Disabilities Education Act (IDEA). Early intervention services support the development of children in the areas of communication, cognitive, physical, social/emotional, and adaptive development.

Services include assistive technology, audiology, family training, counseling, home visiting, health services, medical services (diagnostic/evaluation), nursing, occupational therapy, physical therapy, psychological, social work, special instruction, speech language pathology, transportation, and vision services which are included in HRS §321-351 to 357, and the State Plan. Services are provided by three State programs, eighteen Purchase of Services contracted providers, and over forty (40 +) fee-for-service providers.

Impact of deletion of the early intervention special fund: Without adequate funding, authorized mandated services may be suspended or not provided once allocated funds are depleted. The State may then be out of compliance with Part C of IDEA.

Cost of the program vs. revenues: The revenue for this special fund is dependent upon the receipt of federal reimbursements, thus it has experienced annual fluctuations. The following table reports the actual revenues and expenditures for the last three fiscal years.

Actual	FY 2008	FY 2009	FY 2010	Average per year
Revenues	2,850,344	2,041,662	747,591	1,879,866
Expenditures	1,774,621	4,957,497	1,031,772	2,587,963

This special fund has never experienced any cash deficits in the past and no cash deficits are projected for FY 2012 and FY 2013. Expenditures may exceed revenues but the accumulated available cash balances are enough to cover the expenditures.

Note that this Early Intervention SF also funds 5.00 permanent filled and 2.00 filled temporary FTE positions.

EMSIPSB (HTH730) Impact Statement for proposed S.B. NO. 120

2/8/11

EMS Special Fund:

The emergency medical services special fund (EMS special fund), established in H.R.S. 321-234, was created by Act 158 of the 2004 Legislature to provide funds for operation of an enhanced and expanded state comprehensive emergency medical services system and to address the recognized shortage of paramedics and need for training of emergency medical personnel on the neighbor islands. The department continues to maintain and operate the expanded statewide EMS system through its contracted providers.

Revenues into the EMS special fund include annual vehicle registration fees, cigarette tax, and interest and investment earnings. In FY 2010, the EMS special fund revenues from vehicle registration fees were \$5,144,713; from cigarette tax \$4,524,570; and from the investment pool account \$177,069.24.

In FY 2011, the EMS special fund is approximately 18.68% of the anticipated total general and special fund expenditures for ambulance services (general fund = \$51,211,493; special fund = \$11,766,408) and 100% of the anticipated expenditures for emergency medical technician training stipends and professional development and training for paramedics on the neighbor islands. The EMS special fund revenues (total) projected for FY 2011 is \$9,785,304 while expenditures (total) projected for FY 2011 is \$12,090,288.

Should S.B. NO. 120 be enacted, the Department would be unable to contract for the current level of service unless general funds were appropriated to replace special funds. Without additional funding, approximately one fifth of all ambulance stations would need to be closed across the state. Neighbor island EMS training programs would be closed. If the special fund were eliminated and the balance of funds transferred to the general fund beginning FY 2012, the program would require the addition of approximately \$12,166,288 in general funds for FY 2012 and the same for FY 2013 to maintain emergency services at their current level.

Trauma Special Fund:

The trauma system special fund, established in H.R.S. 321-22.5, was created by Act 305 of the 2006 Legislature to provide funds to support the development and operation of a comprehensive statewide trauma system to ensure the availability of high quality care for trauma patients in the state.

Revenues into the trauma special fund include surcharges for traffic violations, cigarette tax and interest and investment earnings. In FY 2010, revenue collected from cigarette sales was \$6,753,856; from traffic fines \$35,119.25 and from the investment pool account \$51,238.05.

The trauma system special fund revenues (total) in FY 2010 were \$6,840,213.30 while expenditures (including remaining encumbrance) for FY 2010 are \$4,458,662.

The trauma special fund has been used to build a statewide trauma system that will reduce death and disability from injuries. The Department currently has 18 hospitals across the state contracted to provide more trauma centers, trauma support hospitals and pediatric and burn specialty centers. Investments have also been made in the trauma registry (a database that is essential to understand the impact of injuries and improve trauma care) and educating the needed workforce for a successful trauma system. Should S.B. NO. 120 be enacted, the development of a trauma system for Hawaii will be unsustainable. Without a trauma system, the cost of lost productivity and the disabilities that injuries produce will result in a net dollar loss to the State.

RE: Section 117, SB 120 proposes to repeal the Neurotrauma SF - Impact

The Developmental Disabilities Division is in strong opposition to S.B. 120.

Fiscal Implications: The current balance of the neurotrauma special fund is \$2.2M. In 2010, Act 192 authorizes the director of finance to transfer from the neurotrauma special fund to the general fund the sum of \$1,000,000 or so much thereof as may be necessary for fiscal year 2010-2011. This will result in reducing the neurotrauma special fund balance to \$1.2M, of which \$985K will be utilized to fund critical multi-year projects in the area of neurotrauma that have been supported and endorsed by the Department's State Traumatic Brain Injury and Neurotrauma Advisory Boards, respectively. The Division estimates that only \$300k will be available for transfer into the State's general fund if this bill passes and is effective 7/1/2011.

Purpose and Justification: Section 117 of SB120 will essentially eliminate the Department's ability to develop, lead, administer, coordinate, monitor, evaluate, and set direction for a comprehensive system to support and provide services for survivors of neurotrauma injuries in compliance with §321H-2, HRS. There exists no general fund appropriation to support neurotrauma initiatives in the areas of education, awareness, assistance to individuals and families to identify and obtain access to services, and creation of a registry of neurotrauma injuries within the State to identify incidence, prevalence, individual needs and related services. As a result, the Division, with advisory recommendations from the Department's State Traumatic Brain Injury Advisory Board and the Neurotrauma Advisory Board, utilizes the neurotrauma special fund to fund critical projects in the area of neurotrauma. Examples of the Division's current efforts to comply with §321H-2, HRS and reduce the morbidity and mortality of neurotrauma include the funding of the two noteworthy projects:

- 1) The Queen's Medical Center Statewide Stroke Network project to examine the benefits of affording stroke victims improved access to timely expert stroke care evaluation and treatment using tissue plasminogen activator (tPA) without the need to transfer patients to a tertiary facility; and
- 2) The University of Hawaii Concussion Management project that will impact approximately 90,000 high school student athletes statewide and result in the development of a standardized concussion management protocol for Hawaii high school student athletes.

The passage of S.B 120 will not only require the Department to terminate all of the multi-year contracts that are currently in place and in process, it will not only "cripple" the Division's ability to comply with §321H-2 but more importantly, impact the lives of neurotrauma survivors and their families.

RE: Section 109, SB 120 proposes to repeal the Office of Health Care Assurance (OHCA) Special Fund – Impact

OHCA conducts rigorous annual surveys of health care facilities as part of the licensing process. The surveys enforce minimum standards while the industry continues to adopt higher standards using evidence- and experience-based information. Fines can be levied against facilities which are not in compliance with licensing standards.

The OHCA Special Fund was created as a fund for the deposit of moneys collected as part of licensing fees and all administrative penalties imposed as a result of non-compliance with licensing rules. The moneys shall be expended to:

1. Offset operating costs and educational programs; and,
2. Enhance the capacity of OHCA to improve public health outreach efforts and educate the public, staff, other departments in the state, and all regulated health care facilities.

The OHCA Special Fund usually has a low balance because administrative penalties are infrequently levied. However, the department expects to implement licensing fees within the next 12 months. The special fund fees will be used to offset operating expenses of new or upgraded computers and equipment, remote IT connectivity while onsite at facilities under survey, distance learning equipment, and management and staff training. These operating items are currently unaffordable since state general funds are not available. If future funds are continually raided by the legislature, there will be no moneys available to replace the sorely needed computers and equipment needed to adequately conduct required surveys or to provide educational opportunities to OHCA's surveyor staff or to educate healthcare facilities.

Re: Section 119, SB 120 proposes to repeal Hawaii Organ and Tissue Education Special Fund – Impact

Background:

This special fund was originally established by Act 88/SLH 1999 (HB 547, Relating to Anatomical Gifts). Its purpose was to increase the number of organs for transplantation by:

1. Authorizing the collection of a \$1 voluntary donation (beginning July 1, 2000) from persons registering a motor vehicle to be deposited into a newly created Hawaii organ and tissue education special fund;
2. Authorizing the examiner of drivers to adopt rules to allow an organ procurement organization twenty-four hour telephone access to the driver's license database to determine whether a driver has indicated a willingness to be an organ donor;
3. Requiring each acute care hospital to develop protocols to require the reporting of deaths to the local organ procurement organization to determine the suitability of the individual for organ, tissue, and eye donation;
4. Establishing an organ and tissue education special fund from which a grant would be expended by the Organ Donor Center of Hawaii for educational purposes in the area of organ donation; and
5. Requiring the Department of Health and the Organ Donor Center of Hawaii to submit a report to the Legislature on the deposits and disbursements from the special fund and report on the effectiveness of its use towards increasing organ donations.

Note: This special fund was to be repealed on June 30, 2003 pursuant to Act 88/SLH 1999 but Act 88/SLH 2003 repealed that sunset provision. Subsequently, Act 122/SLH 2008 required the Director of Finance to transfer all funds of this special fund established by Section 327-5.6, HRS into Section 327-24, Hawaii Revised Statutes (HRS) effective July 1, 2008.

Description:

Section 327-24, HRS identifies the **Hawaii organ and tissue education special fund** as follows, "(t)here is established in the state treasury the Hawaii organ and tissue education special fund. Moneys collected under section 286-109.7 shall be deposited into the fund. The fund shall be administered and distributed by the department of health and shall be used exclusively for public education programs and activities on organ, tissue, and eye donation."

Funds are continuously collected from each county through a voluntary donation of \$1.00 to support organ and tissue education, from the person registering his/her vehicle. The counties forward the collected donations to the Department of Health approximately quarterly. The Department provides the funds to the Organ Donor Center of Hawaii (Hawaii's only federally recognized organ procurement organization) through a contract.

Revenues: Approximately \$15,000 of revenues from the counties is collected annually. Those funds, minus approximately 6.5% of assessment fees, are provided to the Organ Donor Center of Hawaii through a contract.

Impact: The organ and tissue donation education special fund has had a significant positive impact on improving the system to increase public awareness and visibility for organ and tissue donation, increase the number of individuals indicating a willingness to donate, increase the likelihood that potential donors will convert to actual donors; and leveraging additional resources to promote increased donation through community education. As a result of education efforts, organ and tissue donation and consent for donation has increased.

If these special funds are eliminated, the Organ Donor Center of Hawaii stated that it would end their organ and tissue donation program. No other state funding has been provided to the Organ Donor Center of Hawaii through the Department of Health.

RE: Section 120, SB120 proposes to repeal the Tobacco Settlement Special Funds - Impact

Description: The Tobacco Settlement Special Fund (TSSF) was established through Act 304, SLH 1999 and is found in Chapter 328L, Hawaii Revised Statutes. The funds are administered by the Department of Health (DOH).

Revenues: The TSSF was established to receive the master settlement agreement (MSA) payments from the participating major tobacco companies. The payments are to be made in perpetuity as long as the MSA is in force. The payment amounts are based on the projected profits of the tobacco companies but actual revenue varies and usually is 10% to 15% below estimates.

Impact: The elimination of the TSSF would have a devastating impact on many organizations that now rely on the special fund. Below is a narrative of the distribution and impact and a table with the projected fiscal revenue. Items in bold, italicized font are sections that directly impact the DOH Tobacco Settlement Project Healthy Hawaii Initiative programs.

- ***DOH: The TSSF is the only state funds now budgeted for the prevention, control and management of chronic disease programs in the Department of Health. All general revenues have gradually been supplanted. This would impact programs to address the obesity epidemic for children and adults, improving nutrition and increasing physical activity, school health, diabetes, asthma, cancer, heart disease and stroke, healthy communities, the bi-lingual health aides.***
- Department of Human Services (DHS): The TSSF is used to pay for the non-federal portion of the State Children's Health Insurance Program for immigrant children.
- ***Tobacco Prevention and Control Trust Fund (Trust Fund): The Trust Fund was created to provide funding in perpetuity for tobacco prevention and control programs in Hawaii. This is the only major source of funding to meet the recommended levels of spending to address tobacco as a major contributor to early death and chronic disease. The Centers for Disease Control and Prevention recommends that Hawaii spend \$15.2M; current spending level is \$8.2M from the Trust Fund with \$2.5M combined funding from mostly federal and the DOH portion of the TSSF.***
- University of Hawaii John A. Burns School of Medicine (UHJABSOM): UHJABSOM relies on the TSSF to pay for debt service on the new medical school, and the difference to pay for the annual operating expenses of the new building. They rely completely on the TSSF for the debt service and are fighting currently to retain the difference to continue paying for operational costs. They are not seeking additional general revenues in anticipation of giving up the TSSF.
- Emergency and Budget Reserve Fund (Rainy Day Fund): The Rainy Day fund is used by legislatures and sought by social service agencies to shore up programs during economic downturns when general revenues are not available through state budgets.

The following is the projected distribution of receipts from the MSA for FY 2011:

Estimated FY 11 revenues		50,504,886				
Less:	Note A	<u>350,000</u>				
FY 11 Appr'n		<u>50,154,886</u>				
	\$328L-2, HRS Distr. %	<u>Gross distr.</u>	Less: Central Svc Assessment (5%)	<u>Sub-total</u>	Less: Admin. Assess. (1.30%)	<u>Net Distribution</u>
Rainy Day Fund	15.0%	7,523,232.90	376,161.65	7,147,071.25	92,911.93	7,054,159.32
DOH	15.0%	7,523,232.90	376,161.65	7,147,071.26	92,911.93	7,054,159.33
DHS	10.0%	5,015,488.60	250,774.43	4,764,714.17	61,941.28	4,702,772.89
Trust Fund	6.5%	3,260,067.59	163,003.38	3,097,064.21	40,261.83	3,056,802.38
UH	28.0%	14,043,368.08	702,168.40	<u>13,341,199.68</u>	173,435.60	13,167,764.08
General Fund	<u>25.5%</u>	<u>12,789,495.93</u>		<u>12,789,495.93</u>		<u>12,789,495.93</u>
	<u>100.0%</u>	<u>50,154,886.00</u>		<u>48,286,616.49</u>		<u>47,825,153.92</u>
Total Assessments			<u>1,868,269.51</u>		<u>461,462.58</u> +	<u>2,329,732.08</u>
						<u>50,154,886.00</u>

Note A: \$350,000 first deposited into tobacco enforcement special fund (administered by the Attorney General) pursuant to Sec.328L-2(2)

Please note that there are 37.00 permanent and 1.00 temporary FTE positions budgeted and funded by the TSSF in the DOH. Currently eight of the positions are vacant.

**SECTION 112
SANITATION BRANCH (HTH 610FQ)
SANITATION AND ENVIRONMENTAL HEALTH SPECIAL FUND
§321-27, HRS**

- 1) The source of funds is mainly from food establishment permit fees. To a much lesser extent we also deposit plan review fees for food establishments, swimming pool plan review and permit fees, tattoo shop and artist permit and license fees, into the fund.
- 2) Prior to 2010, the purpose of the fund was restricted to education of the food service industry and education for the DOH employees of the Environmental Health Services Division only.

Since the passage of HB2688 HD1 SD2 CD1 in the 2010 legislative session and the subsequent signing of Act 176 by the Governor on June 25, 2010, placing the bill into law, the DOH can now use the funds for operating costs of the Sanitation Branch. This bill was introduced to alleviate the extreme funding shortfalls for the program responsible for keeping the State of Hawaii's food supply safe from contamination and to prevent communicable disease and foodborne illness transmission within the State.

- 3) The special fund will be critical in providing funding for up to 17 new sanitarian positions in the State, in order to drastically improve our inspectional frequency of food establishments on Oahu and Maui. Oahu has recently seen rodent infestations in our food establishments and recent closures of restaurants due to foodborne illness outbreaks and recalls due to improperly manufactured foods. All of these events could have been prevented if the DOH inspected food establishments 3-4 times a year as recommended by the U.S. Food and Drug Administration (FDA) instead of the present frequency of once every 2½ years. The staffing level on Oahu is now at 700+ establishments per sanitarian. There are only 8 sanitarians responsible for nearly 6,000 food establishments on Oahu at present. (The FDA recommended level is 150 establishments per inspector for those inspectors that do ONLY food). DOH sanitarians also are responsible for disaster relief (shelter, food, and water), swimming pools, tattoo shops, barber and beauty parlors, massage establishments, mortuaries, embalmers, all schools, and a myriad of other environmental health responsibilities.

As Hawaii is often labeled as a world class food destination, we can ill afford the recent high publicity events like the Chinatown rodent infestation in food establishments, and highly publicized restaurant closures due to food borne illnesses and now the huge recall and permit suspension of locally manufactured dressings and sauces produced at First Commercial Kitchen. All of these events could have been prevented if DOH had the necessary staffing which would have lead to inspection frequencies that would have provided consistent compliance with food safety regulations.

INDOOR AND RADIOLOGICAL HEALTH BRANCH (HTH 610FR)

The DOH-IRHB is the primary regulatory agency for public health in the areas of noise, radiation, indoor air quality, air conditioning and ventilation, asbestos, and lead. IRHB also fields the Radiological Emergency Response Team (DOH-RAD) which is trained not only in responding to radiological emergencies, but natural disasters as well. The program currently maintains two special funds (NRIAQ and Asbestos/Lead) used primarily for operating expenses and to fund two environmental health specialist positions. Under HRS 342P-7 and 342P-8, funds are required to be used by the program (see below).

SECTION 126 NOISE, RADIATION, AND INDOOR AIR QUALITY SPECIAL FUND §342P-7, HRS

Source of Funds –

Fees are collected for noise permits and variances, radiation facility and service licenses, and radiologic technologist licenses.

Purpose/Use of Funds –

The funds are used primarily for operating expenses. The general fund allocation for operating expenses for the program has decreased significantly over the past 10+ years. The monies from this fund are used for a number of different items; equipment maintenance and calibration, outer-island inspections, out-of-state training expenses, conferences, and emergency response activities, as well as consumables used in day-to-day operations.

What services would be lost and impact on the population –

The program would be severely inhibited in its ability to function to protect the public health as required by Hawaii Revised Statutes Chapters 321, 342F and 466J, and Hawaii Administrative Rules Chapters 11-39, 11-44, 11-45, and 11-46, should the special funds be taken away.

Maintenance and calibration of equipment to the standards required would not be performed, and therefore the program would lose any enforcement capabilities with regards to inspections. Further, outer island inspections would become virtually non-existent. As we are a statewide program with Oahu-only staffing, the communities on the outer islands would suffer because of lack of response. Training of staff for safety and to increase their technical knowledge, as well as conferences provided to members of the regulated community would cease to exist.

The DOH-RAD team will also be severely impacted by the loss of funds. The team is trained to respond to all-hazards emergencies and natural disasters and has worked extensively with first responders (police, fire, DOD) to ensure the health and safety of the people of our state. Without any funding, the program would be incapable of fielding a team, as there will be no capability for maintaining equipment and providing provisions for team members. The Department of Homeland Security has invested a large sum to make this team operational and the state would lose a significant asset in the event of lost funding.

Cost of the program vs. revenues – The majority of the program's cost lies in personnel funding. Operating expenses are covered primarily by the special fund. Loss of the special fund will force the state to provide general funds in order for the branch to function.

**SECTION 127
ASBESTOS AND LEAD ABATEMENT SPECIAL FUND
§342P-8, HRS**

Source of Funds –

Fees are collected from the certification, accreditation and notification for regulated asbestos and lead-based paint activities. Monies deposited into this account are earmarked specifically for use in the asbestos/lead program.

Purpose/Use of Funds –

Funds are used for operating expenses and personnel costs (2 FTE). Additional funds for personnel are provided through an EPA grant.

What services would be lost and impact on the population –

The program would be severely inhibited in its ability to function to protect the public health as required by Hawaii Revised Statutes Chapter 342P, and Hawaii Administrative Rules Chapters 11-501, 11-502, 11-503 and 11-504, should the special funds be taken away. The asbestos/lead program would effectively lose two EHS positions and the majority of operating monies. This would lead to a failure in meeting EPA Grant requirements (including enforcement and implementation) and have a major impact on future federal funding.

Maintenance of equipment, as well as testing of suspected materials will be severely impacted. Outer island inspections would become virtually non-existent. IRHB is a statewide program with Oahu-only staffing, and the communities on the outer islands would suffer because of lack of response. Required training of staff, as well as conferences provided to members of the regulated community would be compromised.

Cost of the program vs. revenues --

Loss of two positions and operating monies will force the state to come up with general funds in order to meet requirements. The majority of the funding for this program is federal.

For additional information:

[§342P-7] Noise, radiation, and indoor air quality special fund; established. (a) There is established within the department of health a noise, radiation, and indoor air quality special fund into which shall be deposited all moneys collected from fees for permits, licenses, inspections, certificates, notifications, variances, investigations, and review, pursuant to sections 342F-14, 342P-28, 466J-4, and 466J-5.

(b) Moneys in the fund shall be expended by the department to:

- (1) Partially fund the operating costs of the program mandated activities and functions;
- (2) Fund statewide education, demonstration, and outreach programs;
- (3) Provide training opportunities to ensure the maintenance of professional competence among staff and administrators; and
- (4) Plan for future growth and expansion to meet emerging needs. [L 1998, c 311, pt of §18]

[§342P-8 Asbestos and lead abatement special fund.] (a) There is established within the department of health an asbestos and lead abatement special fund into which shall be deposited all moneys collected from fees for permits, licenses, inspections, certificates, notifications, variances, investigations, and reviews.

(b) Moneys in the asbestos and lead abatement special fund shall be expended by the department to:

- (1) Partially fund the operating costs of the asbestos and lead abatement program's mandated activities and functions;
- (2) Fund statewide education, demonstration, and outreach programs;
- (3) Provide for the accreditation of training programs;
- (4) Provide training opportunities to ensure the maintenance of professional competence among staff and administrators; and
- (5) Plan for future growth and expansion to meet emerging needs. [L 1998, c 242, pt of §1]

**SECTION 123
WASTEWATER BRANCH (HTH 840FK)
WASTEWATER TREATMENT CERTIFICATION BOARD SPECIAL FUND
§340B-3.5, HRS**

Section 123 of this bill repeals section 340B-3.5, Hawaii Revised Statutes, which established the wastewater treatment certification board special fund. On July 1, 2011 the director of finance will transfer any balance of the funds to the credit of the state general fund.

The special funds are used by the Board of Certification of Operating Personnel in Wastewater Treatment Plants ("board") to pay for expenses in administering the wastewater operator certification program under chapter 11-61, Hawaii Administrative Rules. Revenues collected from the administration of the wastewater operator certification program are deposited into the special fund. The funds are obtained from the following sources:

1. Registration fees for wastewater operator certification exams;
2. Certificate renewal fees;
3. Reciprocity application fees; and
4. Temporary certificate fees.

The board budgets \$21,688 per year to cover administrative expenses. Current revenues have averaged \$21,551 per year over the past four years, but vary considerably each year as revenues during certificate renewal years are more which offsets significantly lower revenues in non-renewal years. A source of funds is needed at the beginning of the fiscal year to ensure that expenses can be paid as they are incurred. The fiscal year starting July 2011 is a non-renewal year and the board will not be able to pay its vendors without funding. Board expenses include: costs for certification exams, meetings, travel, car rentals, per diem, etc. Averaged annual revenues are adequate to sustain current board expenses but the board plans to revise its rules (chapter 11-61, HAR) which will increase board expenses.

The loss of the funds will lead to the demise of the wastewater operator certification program and the board. This will result in uncertified operators running the wastewater treatment plants instead of qualified, licensed operators that are necessary to ensure the protection of public health, safety and welfare, and our environment. Section 340B-8, HRS, requires mandatory certification of all operators under the requirements of chapter 340B, HRS. For these reasons, we oppose this section of the bill.

**SECTION 124
CLEAN AIR BRANCH (HTH 840FF)
CLEAN AIR SPECIAL FUND
§342B-32, HRS**

Abolishing the Clean Air Special Fund and using the funds for other than its intended purposes are federally prohibited.

The Clean Air Special Fund was established (Act 240/1992) pursuant to the federal Clean Air Act, Title V, Section 502, which mandated the development of a federal operating air permit program and the collection of annual emission fees to sufficiently cover all costs associated with the subject program.

Section 502(b)(3)(A) specifically states that: “. . . the owner or operator of all (Title V) sources. . . pay an annual fee, or the equivalent over some other period, sufficient to cover all reasonable (direct and indirect) costs required to develop and administer the permit program requirements of the title. . .” Furthermore, Section 502(b)(3)(C)(iii) stipulates that: “Any fee required to be collected by a state, local, or interstate agency under this subsection shall be utilized solely to cover all reasonable (direct and indirect) costs required to support the permit program as set forth in subparagraph (A).” Thus, the Clean Air Special Fund was established to manage the annual emission fees that were collected from the air permitted sources and to account for the expenditures of the air program.

EPA Region 9 confirmed this understanding to the Department of Health in letters dated March 24, 2009 and April 9, 1998. The State Deputy Attorney General also affirmed this fact in a letter to the Director of Health dated April 24, 1998.

If the Clean Air Special Fund is not maintained and the funds used for other purposes in violation of federal law, Hawaii will lose its federal delegation of the mandated Title V, operating air permit program. Accordingly, EPA Region 9 will be forced to establish and implement the Hawaii Title V program, assess annual emission fees on the Hawaii sources, and process the air permits from its San Francisco office. In addition, strict sanctions may be imposed by EPA jeopardizing the receipt of future EPA grant awards to Hawaii.

**SECTION 125
SOLID AND HAZARDOUS WASTE BRANCH (HTH 840FJ)
ENVIRONMENTAL MANAGEMENT SPECIAL FUND
§342G-63, HRS**

1. Environmental Management Special Fund (EMSF)
A total of 9.0 SHWB positions are funded by the EMSF.
2. Solid Waste Tip Fee -- These positions are required to develop and implement departmental rules on solid waste management activities, implement the requirements of the Resource Conservation and Recovery Act (CFR part 258); review and approve or disapprove permit applications for solid waste management, special waste, and materials recycling facilities; inspect and assure compliance of permitted waste management facilities; investigate and initiate enforcement actions against violators and illegal operations; analyzes monitoring data relating to groundwater contamination, ash management and landfill gas generation; respond to complaints regarding illegal dumping or disposal of solid waste, or other special wastes. There are no other state agencies that would be able to provide these services.
3. Glass Advanced Disposal Fee (ADF) --The ADF funded position provides oversight to contracts for the recycling glass containers in each county. There are no other state agencies that would be able to provide these services. The reduction may have significant impact on the funding glass recycling programs and may also result in a warm body reduction-in-force at the county level.
4. Advance Tire Surcharge fee -- The funds currently in this fund were collected from companies that import new tires into Hawaii (tire wholesalers and new car dealers). The fund is intended for cleaning up illegal tire dumps throughout the state. There are no new revenues for this fund. The transfer of funds would eliminate the State's ability to initiate a cleanup any tire piles that pose a risk to human health and the environment.

Given the current economic climate, we expect more illegal dumping associated with companies avoiding cost to properly dispose and/or abandoning tires.

LATE

S.B. 120

The State Health Planning and Development Agency (SHPDA) is opposed to the proposed legislation as currently written. The Agency utilizes special funds to offset program expenses. The Agency's Special Funds are generated by Certificate of Need (CON) application fees. Examples of program expenses that utilize special funds are employee salaries, supplies, special projects designated by the Legislature; travel expenses associated with public meetings and hearings on the neighbor islands, and contested case hearings. A transfer or elimination of Agency special funds will result in an immediate need to increase the general fund allocation to SHPDA in order to continue operations and perform its statutory functions.

NEIL ABERCROMBIE
GOVERNOR



LATE

BRUCE A. COPPA
Comptroller

RYAN OKAHARA
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES
P.O. BOX 119
HONOLULU, HAWAII 96810-0119

TESTIMONY
OF
BRUCE A. COPPA, COMPTROLLER
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
TO THE
COMMITTEE ON
WAYS AND MEANS
ON
February 10, 2011

S.B. 120

RELATING TO STATE FUNDS

Chair Ige and members of the Committee, thank you for the opportunity to testify on S.B. 120.

The Department of Accounting and General Services (DAGS) opposes S.B. 120.

The reason for our opposition to this bill is that the proposed elimination of five (5) special funds will have a significant negative impact on the programs they were created for and create a legal or tax issue for the State. These five special funds and the negative impacts are as follows.

1. Works of Art Special Fund; The revenue of this fund is primarily from the transfer of 1% of the construction costs of capital improvement projects (CIP). The source of funds for these CIP initiatives is general obligation bonds which are tax exempt. The Attorney General has in previous years advised against a transfer of funds from this Fund to the general

fund as such action could result in the loss of the tax exempt status of the general obligation bonds.

2. Shared Services Technology Special Fund; This fund was created to fund the operations of the Chief Information Officer (CIO) and the information technology steering committee. Without this funding, there will be no CIO and no IT strategic plan (the Plan) as the funding vehicle for Act 200, SLH 2010 will be eliminated. The CIO and the Plan are essential if the State is to leverage technology for improved operating efficiency and public access to data and online services.

3. Stadium Special Fund; Without this fund, the cost of operating the Aloha Stadium cannot be sustained. If the State wishes to continue to operate the Stadium, a general fund appropriation will be required if this fund is eliminated. Otherwise the Aloha Stadium will be closed when this Fund is terminated.

4. Wireless Enhanced 911 Fund; In previous years, the Attorney General has advised under Public Law 110-283 (the Act), 911 funds can only be used for 911 purposes and penalties can be imposed if someone knowingly and willfully does something prohibited by this Act.

5. Access Hawaii committee special fund; The Information and Communication Services Division of the DAGS will assess the operator of the "ehawaii.gov" website (State's internet portal) \$8,000 per month beginning next month (March 2011). This revenue will be used to fund a portal manager position to oversee the development and implementation of the enhancements to portal and the operations of the portal itself. Without these funds, the State will not have the ability to continue development of the portal addressing the priorities of the public and the State departments.

Thank you for the opportunity to testify on this bill.



State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512

LATE

TESTIMONY OF RUSSELL KOKUBUN
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE SENATE COMMITTEE WAYS AND MEANS
February 10, 2011
9:00 A.M.

SENATE BILL NO. 120
RELATING TO STATE FUNDS

Chairperson Ige and Members of the Committee:

Thank you for this opportunity to provide testimony on Senate Bill 120 relating to state funds. This bill proposes to repeal certain special funds and transfer the balances to the general fund. The Department of Agriculture strongly opposes Sections 21 to 27 of the proposed bill. Many of the funds proposed for repeal in the bill are essential to the major functions of the Department and in many cases the sole means of financing for these programs. As the current state of the economy require a decreased reliance on general funds the repeal of these special funds will be counterproductive to these efforts.

Aquaculture Development Special Fund

This special fund was established to deposit and expend funds to implement the aquatic disease management programs and activities to support research and development programs relating to the expansion of the state aquaculture industries. With the current general fund constraints, this fund is an important supplement for the day-to-day operations of the Aquaculture Development program.



Agricultural Development and Food Security Special Fund

This was established in 2010 to provide important resources to ensure the increased food and energy security of the state. Potential uses of this fund include acquisition and improvement of agricultural lands and irrigation systems, promotion and marketing of agricultural products and other activities to decrease the reliance on imported food. This fund will provide important resources to the department for these efforts without additional reliance on general funds.

Animal Quarantine Special Fund

This special fund is the only source of funding for this program which is responsible for preventing the entry of rabies into the state. The sources of revenues for this program include quarantine fees, veterinary and medical fees and fees for the rental of kennels. The entry of rabies into the state will have severe economic and public health consequences to the state.

Seal of Quality Special Fund

The Seal of Quality program was established in 2002 to deposit funds from participants who use the program to promote their products. An estimated \$30 million of fresh and processed agricultural products carry the Seal of Quality Label. Approximately \$60,000 in federal funds is used to supplement the program.

Milk Control Special Fund

The Milk Control program is funded by fees paid by the dairy industry to cover the costs to administer the Milk Control Act which was created to ensure stability and fairness in the local dairy industry and that producers are compensated in a fair manner for the milk they produce. Elimination of this special fund will result in the demise of the Milk Control Program and the assurance that producers receive a fair price for milk which may cause local dairies to go out of business and a total reliance on local milk.

Agricultural Park Special Fund

Repeal of this fund will eliminate the Agricultural Parks program which leases approximately 235 parcels covering 4,428 acres of land. The source of the funding for the program is the lease rent collected from agricultural park tenants. This fund covers all of the costs associated with this program including personnel, operating costs and equipment. Elimination of the program will reduce the availability of affordable agricultural land to farmers and therefore increase the State's reliance on imported foods.

Non-Agricultural Park Land Special Fund

Elimination of this program will have a similar impact to the elimination of the Agricultural Park program. However, this program has an even greater potential for providing affordable lands with approximately 590 parcels covering 153,000 acres available for lease.

Irrigation Water Development Special Fund

Repeal of this fund will have no impact on the operations of the Department since it there have been no revenues or expenditures from this fund since its establishment.

Irrigation Repair and Maintenance Special Fund

Repeal of this fund will have no impact on the operations of the Department since it there have been no revenues or expenditures from this fund since its establishment.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LATE

GARY L. HOOSER
INTERIM DIRECTOR

**STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY
CONTROL**

235 S BERETANIA ST. SUITE 702
HONOLULU, HAWAII 96813
Tel. (808) 586-4185
Fax. (808) 586-4186
Email: oeqc@doh.hawaii.gov

COMMITTEE ON WAYS AND MEANS

SB 120, RELATING TO STATE FUNDS

**Testimony of Gary Hooser
Interim Director of the Office of Environmental Quality Control**

February 10, 2011

- 1 **Office's Position:** The Office of Environmental Quality Control strongly opposes those portions
2 of SB 120 that adversely impact existing environmental protections.
- 3 **Fiscal Implications:** Amongst the programs that special funds support are many that protect
4 Hawaii's fragile environment. The reduction in environmental protections and programs that
5 result in the elimination of these funds will have a dramatic, negative and long term impact on
6 the health of Hawaii's environment. The projected costs to "catch up" at a later date and recover
7 from the impacts resulting from the elimination of these funds far exceed the immediate cash
8 benefits.
- 9 **Purpose and Justification:** SB 120 repeals many special funds and transfers the balances to the
10 State General Fund. The programs impacted by this measure provide critical services to
11 maintain the environmental health and safety of the people of Hawaii. Section 341-1, HRS,
12 which established OEQC, states that "The legislature finds that the quality of the environment is
13 as important to the welfare of the people of Hawaii as is the economy of the State." In the

- 1 interest of protecting Hawaii's environment, OEQC is opposed to the proposed funding cuts and
- 2 elimination of the referenced special funds.
- 3 Thank you for the opportunity to testify.

LATE

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



WESLEY L.K.M. LIM
Chair

STATE OF HAWAII
Board of Certification of Operating Personnel
In Wastewater Treatment Plants
1350 Sand Island Parkway, Bldg. 3A
Honolulu, Hawaii 96819

In reply, please refer to:
File:

February 9, 2011

The Honorable David Y. Ige
Chair, Committee on Ways and Means
Hawaii State Capitol, Room 215
415 South Beretania Street
Honolulu, HI 96813

Subject: Testimony in Opposition of SB120: Section 123, Part I
Measure/Report: Relating to State Funds/Certain Special Funds; Repeal
Before the Hawaii Senate Ways and Means Committee on February 10, 2011, 9:00 A.M.

Dear Chair Ige:

On February 10, 2011 the Senate Ways and Means Committee is scheduled to hold a public hearing for SB 120, Relating to State Funds. This testimony is in opposition of SB 120, section 123, part I, repealing Hawaii Revised Statutes (HRS) section (§) 340B-3.5, the wastewater treatment certification board special fund. Why oppose? In a word, "sewage".

The Board of Certification of Operating Personnel in Wastewater Treatment Plants (herein referred to as the "Board") carries out its duties under HRS chapter 340B, Wastewater Treatment Personnel, and chapter 11-61, Hawaii Administrative Rules (HAR), Mandatory Certification of Wastewater Treatment Personnel in Wastewater Treatment Plants, both relating to classification of wastewater treatment plants (WWTPs) and certification of wastewater treatment personnel. The duties of the Board are not to be taken lightly or dismissed as the purpose of the Board and the aforementioned chapters in HRS and HAR is essentially to protect public health and the environment from "sewage" by ensuring that WWTPs are operated and maintained by qualified wastewater "operators whose competency has been certified in a classification corresponding to the classification of the wastewater treatment plant or segments of the wastewater treatment plant to be supervised" (§11-61-3, HAR).

In the unfortunate event, the bill passes and repeals the wastewater treatment certification board special fund, the Board will not be able to classify WWTPs, certify wastewater operators nor fulfill the purpose of §11-61-1, HAR, which states,

"Purpose. Efficient management of wastewater treatment works is an important economic asset to the public, to county and state officials and to operators. Also, effective operation and

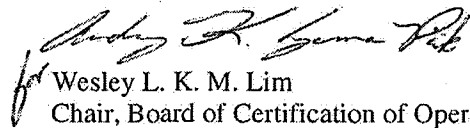
The Honorable David Y. Ige
February 9, 2011
Page 2

maintenance of wastewater treatment works are essential to prevent pollution of the waters of the State. Furthermore, certification of wastewater treatment works operators assures the employment of personnel competent to provide efficient management, and proper maintenance and operation of wastewater treatment works. Therefore, the purpose of these rules is to promote protection of public health, and to conserve and protect the water and public resources of the State. To achieve these purposes, it is the objective of these rules to ensure that all wastewater treatment plants are under the active field supervision of competent personnel in accordance with the provisions contained in these rules."

In the best interest of the public, the environment, and the State, we ask for the Senate Ways and Means Committee's opposition of section 123, part I of SB 120.

Thank you for this opportunity to provide.

Sincerely,


Wesley L. K. M. Lim
Chair, Board of Certification of Operating Personnel in Wastewater Treatment Plants

LATE



UNIVERSITY OF HAWAII SYSTEM
Legislative Testimony

Testimony Presented Before the
Senate Committee on Ways and Means
February 10, 2011 at 9:00 a.m.
by
MRC Greenwood
President, University of Hawai'i

SB 120 – RELATING TO STATE FUNDS

Chair Ige, Vice Chair Kidani and Members of the Committee:

Aloha. Thank you for your support for the University of Hawai'i and for the opportunity to provide testimony on this measure.

The University of Hawai'i strongly opposes this bill.

INTRODUCTION

The Legislature began granting the University flexibility in fiscal and operational matters through Acts 320 and 321, SLH 1986. Since that time, the Legislature has repeatedly extended the University's fiscal flexibility and control over University-generated resources, and the Legislature proposed and the people of the State approved a Constitutional amendment providing the University additional control over its internal affairs.

The University has used its fiscal flexibility responsibly to serve the public in an increasingly challenging environment. The University of Hawai'i today is a far different, and a better, university than it could have become without the ability to control its resources and invest strategically. An example of this is in our research enterprise, where the ability to retain and reinvest indirect overhead funds generated from our extramural contracts and grants has enabled us to grow this portion of our operations to \$452 million dollars in new awards in FY 2009-10. These are dollars the University is bringing into the State of Hawai'i, which are creating jobs. Also, with the uncertain financial and political situation in Congress, research and training revolving funds (RTRF) provide needed support to survive fluctuations in research funding and earmarks. We are already finding that some federal grants are not being renewed, and the University's RTRF funds will be needed to provide critical bridge funding.

Another example is in fundraising, where our ability to retain internally generated funds has enabled more private fundraising. The University successfully completed its

Centennial Campaign, which raised \$282 million. More than 90,000 donors gave to the campaign, 50,000 of whom were new donors. The University is currently planning a new campaign with even greater goals in the coming years.

Another critical example is that the University's ability to manage our tuition funds has enabled us to provide access to students, regardless of their ability to pay. Having the UH Tuition and Fees Special Fund has afforded the University the ability to increase financial aid to students with documented financial need so they can attend college at any campus of the UH system. In the 1980's and 1990's, financial assistance was granted in the form of tuition waivers, which gave aid to a limited number of students up to the value of the price of tuition only. The waivers did not take into consideration or cover other educational costs, such as the rising price of textbooks and supplies, housing, transportation, and other living costs. Therefore, many students with financial needs were not able to get aid to cover their legitimate costs as students. Furthermore, the tuition waivers lowered the overall price of tuition, preventing the State from fully recouping needed grant money for economically disadvantaged students from the federal government in the form of Pell Grants.

In 2006, the University created a new financial assistance policy to transform tuition waivers into dollars, in the form of need-based grants and non-need-based scholarships. At the same time, we launched new initiatives to increase student applications for federal financial aid. As a result, 14,111 students received \$49,048,384 in federal Pell Grants in FY 10, versus 9,227 students receiving \$22,368,430 in FY 05. UH's own financial assistance programs also more than doubled, as 16,334 students received \$42,358,580 in UH financial assistance in FY 10, versus 8,840 students receiving the equivalent of \$20,356,119 in tuition waivers in FY 05. Finally, the University has experienced a growth in enrollment in our underrepresented ethnic groups. Again, during this same time period, Native Hawaiian students grew from 6,396 in FY 05 to 12,630 in FY 10, Filipino students grew from 6,112 in FY 05 to 9,228 in FY 10, and Pacific Islander students grew from 1,489 in FY 05 to 2,002 in FY 10.

As a result of the economic downturn, the University experienced \$98 million in reductions to its general funds in the Fiscal Year 2009-10. In Fiscal Year 2010-11 that reduction has been increased to \$108 million, representing a 23% decrease in the University's general fund budget from Fiscal Year 2008-09. That level of reduction in funding is one of the largest in the nation among public universities.

With an all-time high enrollment exceeding 60,000 students in Fall 2010, as compared to approximately 50,000 students in Fall 2007, we are serving many more students with far fewer general funds. We have managed this by various means throughout our campuses. These include executive, faculty and staff wage cuts (with no loss of instructional days), enrollment management, fewer classes at certain campuses, larger class sizes, deferred hiring and/or hiring of lecturers to fill instructional positions, campus closures during winter and spring breaks, deferral of spending, and use of American Recovery and Reinvestment Act (ARRA) fiscal stabilization funds for education.

Nevertheless, these reductions have impacted the University's ability to deliver academic programs by restricting the filling of positions, reducing class offerings, and increasing class sizes at certain campuses. A significant number of lecturers have not been renewed. Other critical program areas, such as financial aid and student services, have also been adversely impacted. All our state-funded employees are taking pay cuts and we have reduced our workforce in a number of areas. Campuses have been closed for the winter holidays and spring break, reducing utility costs for those periods of time. Despite the severe impact on our budget, we have worked diligently to minimize the impact on students, and we have done so without interruption to instructional days.

We would not have been able to manage this economic crisis without fiscal flexibility and access to tuition revenue and other non-general funds. At our community colleges, for example, our Fall 2010 enrollment of 34,203 students represents a 20.2% increase over Fall 2008 and a 35.4% increase over Fall 2006. We have been able to serve those students only because we have access to tuition dollars. As we needed to add classes, we were able to examine our revenues from tuition and add the necessary classes. As a result, we added 1,300 classes and accommodated 9,000 additional students. If we had been required to wait until a new general fund allocation could be made in order to respond to the demand for more classes, we simply could not have responded in time. Students would not be served.

In addition, summer classes and non-credit classes receive no general funds. If we did not have the ability to collect and expend tuition for those classes, we would not be able to offer needed summer school and workforce development classes.

SB 120 proposes to reverse 25 years of progress by repealing all of the University of Hawai'i's special and revolving funds. In the following part of this testimony, we address and discuss each of those funds. However, let me begin by saying that without those funds and the authority to control and manage those funds, the University simply could not continue to operate in its current form, nor accomplish the educational, research, workforce development, and innovation goals that are critical to the future of our State. Moreover, the balances reflected in any "snapshot" of the University's financial condition are as of a specific date and are impacted by future expenditures and encumbrances. Accordingly, such balances are not an accurate indication of available resources.

In addition to the items discussed above, adverse impacts of this bill would include the following:

- 1) The University would not be able to cover its operating costs and serve its students without tuition revenues, which provide a major portion of the funding for our operational mission. Tuition covers 35 to 40% of our instructional costs, the majority of which are personnel costs.
- 2) All revenues of the University, other than general fund appropriations, are pledged against our revenue bonds. Without those funds, the University would default on its bond covenants. Credit rating agencies would likely downgrade the University, which would have a negative and costly impact on any future revenue

bond issues. In addition, we could potentially be subject to liability from lawsuits by bondholders of our current bonds.

3) Repealing our revenue-undertaking fund would mean that we could not issue revenue bonds or run the operations that pay for those bonds. Affected operations include student housing, faculty housing, parking, food service, bookstore, campus center and telecommunications, to name a few.

4) Without reserves represented by the special and revolving funds, our accreditation would be in jeopardy, as accrediting agencies expect us to maintain reserves and seek to verify sufficient reserves when they examine us for accreditation.

5) This bill could halt developments that are currently in progress such as the Cancer Center, UH West O'ahu Kapolei Campus, the UH Mānoa Campus Center, the Information Technology building, and other projects that are being funded by revenue bonds and where non-general funds are the source of repayment for the bonds.

Again, these are just some of the impacts SB 120 would have. In the following sections of our testimony, we address each special and revolving fund individually. Please note also that the University has previously submitted separate legislation, SB 814, which has passed the Senate Education Committee and will be coming to the Committee on Ways and Means next. SB 814 proposes repeal of a number of special and revolving funds as recommended by the State Auditor. These funds are so indicated below.

Research and Training Revolving Fund (HRS 304A-2253)

The Research and Training funds are used to support the research mission of the University. The funds are to be used for purposes that result in additional research and training grants and contracts, and for facilitating research and training at the University. These funds are used: 1) to recruit and support top researchers; 2) for administrative support (i.e., fiscal, HR, compliance, etc.) for extramural contracts and grants; 3) to repair, replace, maintain, and/or upgrade scientific and other equipment and facilities for continued research; 4) for mandatory matching for extramural contracts and grants; 5) for research projects; 6) for funding of graduate students; and 7) for working capital.

An estimated \$1,500,000 is needed for the next 15 years for revenue bond payments for the Biomedical Sciences Building addition. Funds have also been committed to several initiatives to expand the research programs at the University, including the proposed Thirty Meter Telescope on Mauna Kea. Generally, RTRF funds have made possible the past growth in the University's research enterprise and are critically necessary to maintain and continue to expand extramurally-funded research at the University. A point to mention here is that while some RTRF funds may appear to be unencumbered under governmental accounting standards, that does not mean that those dollars have not been committed. For example, commitments to support research and start-up costs for new faculty members are frequently made in one year but expended over several.

University of Hawai'i Tuition and Fees Special Fund (HRS 304A-2153)

Tuition and Fees Special Funds are a major portion of the University's operating funds. Per statute, the funds are used to maintain or improve the University's programs and operations.

Deposits to the Tuition and Fees Special Fund are comprised of tuition, fees, and other credit course-related charges paid by students. Funds are used to address normal operating expenses of the campuses, including salaries, supplies, materials, equipment, repairs and maintenance, etc.

Potential impacts to UH Mānoa, UH Hilo, UH West O'ahu, and our seven community college campuses resulting from the repeal of the Tuition and Fees Special Fund include:

- Further reductions in the level of instruction, student support services and other services beyond the reductions already made. Reductions in services to students, such as counseling, tutoring, advising, financial aid and other support services, will negatively impact the ability of students to succeed and obtain their degrees.
- Possible reductions in library hours that impact our students and our community.
- Possible employee layoffs in all categories.
- Reductions in financial aid and scholarship awards to our students, as those awards are fully funded by tuition.
- Potentially fewer courses could be offered per semester, reducing the ability of our students to get the classes that they need. This will negatively impact our retention and graduation rates.
- Negative impacts on our ability to provide security and maintain health and safety standards for our campuses, creating liability for the university and for our faculty, staff, and students.
- Reductions in our student workers. In some cases, these jobs are the only source of income for our students. This could cause these students to drop out of school due to lack of this assistance.
- Cuts in mental health and other health services to our students, which would put more pressure on other state agencies.
- Possible reductions in other programs that provide outreach to the community.

While we do have some "unencumbered" balances, to put this in context, the Tuition and Fees Special Fund balance at June 30, 2010, was roughly 7.1% of our total operating expenses for FY 2010. In my view, this represents responsible and prudent financial management in an unpredictable and volatile economic time. It would be a shame to penalize the University for working to insure the future for the State and our future students.

University of Hawai'i Student Activities Revolving Fund (HRS 304A-2257)

This fund is used to account for receipts and disbursements related to student-oriented activities, programs, and services developed and implemented by chartered student organizations and student activity programs. At UH Mānoa, programs supported include the following:

- The Associated Students of the University of Hawai'i
- The Broadcast Communication Authority
- The Board of Publications
- Campus Center Board
- Co-Curricular Activities (New Student Orientation Program)
- Graduate Student Organization
- Lab School extra-curricular activities
- National Student Exchange
- Student Activity and Program Fee Board
- Student Housing Residence Hall Association

The Community Colleges use the fund to support programs such as student government, social and cultural activities, honor society activities, new student orientation, etc.

Systemwide Information Technology and Services Special Fund (HRS 304A-2154)

Per statute, moneys in the Information Technology and Services special fund are to be used "in support of systemwide information technology and services including personnel, equipment costs, and other expenses, as well as planning, design, and implementation of information technology infrastructure within the University".

The repeal and sweep of the Systemwide Information Technology and Services Special Fund into the State General Fund would have disastrous consequences for a number of program activities this fund supports. The flexibility provided by this fund enables UH to site-license or bulk-license software at heavily discounted prices and then share these reduced costs among participating campuses, units and departments throughout the UH System. Without the funds to purchase software up-front, programs and units would have to directly buy from vendors without the benefit of discounted or site license pricing. This program also supports the systemwide licensing of anti-virus software for all UH student, faculty and staff computers throughout the UH System on all campuses and islands. This software is made available at no direct cost to improve protection of members of the UH community and our campuses from malware that can damage operations and threaten their personal information. This fund also enables UH to assist other state agencies with their videoconferencing needs by providing a mechanism for overtime and other marginal costs to be recovered. Repeal and sweep of this fund would have significant negative impact on a wide range of entrepreneurial initiatives that reduce overall costs and enhance IT capabilities at the University.

University of Hawai'i Auxiliary Enterprises Special Fund (HRS 304A-2157)

The purpose of this fund is to support various Auxiliary Services programs (those services provided by the University to students, faculty, staff and others that are

ancillary to, but facilitate, the instruction, research and public service missions of the University). Examples of programs currently supported by this fund include:

- The Department of Art and Art History's activities, including support of the Art Gallery's operations and exhibitions, Art Department sales, East-West Center Ceramics workshop, and art supplies.
- The Office of Student Affairs Counseling and Student Development Center, which provides educational and vocational counseling and testing services to students and other members of the community.
- The School of Nursing and Dental Hygiene's Dental Hygiene Clinic, which supports the operation of the clinic at UH Mānoa.
- The Hyperbaric Treatment Center, which provides hyperbaric oxygen services for diving accidents and medical treatments.
- Laboratory Animal Services, which administers the Program of Humane Care and Use of all vertebrate animals used for research, training and other activities.
- The University Laboratory School Cafeteria, which provides governmental standard lunches and breakfasts to students of the school, a service which is universal in public schools in Hawai'i and across the nation.
- Transportation Services, which is responsible for purchasing and maintenance of motor vehicles, and various motor vehicle services for official use by University personnel.

University of Hawai'i-West O'ahu Special Fund (HRS 304A-2166)

The purpose of this fund is to support the planning, land acquisition, design, construction, and equipment necessary for the development of the permanent campus of UH West O'ahu in Kapolei, including infrastructure and other public or common facilities. Revenues include net rents from leases, licenses, and permits, and interest earned on moneys in the special fund.

University Revenue-Undertaking Fund (HRS 304A-2167.5)

This fund is comprised of revenue-generating and self-supporting University Bond System projects. The fund includes operating accounts, and major and ordinary repair and replacement accounts. Projects include the following:

- Bookstore
- UH Mānoa Campus Center
- UH Mānoa Faculty Housing
- UH Mānoa Food Services
- UH Mānoa Parking
- Student Housing
- Telecommunications

Balances for these funds are required for Working Capital. In addition, reserves need to be maintained for all outstanding bond system debt, pursuant to bond covenants. Reserves are also required for major projects.

Hawai'i Cancer Research Special Fund (HRS 304A-2168)

Cigarette tax receipts are transferred to this fund from the State pursuant to HRS 245-15. Funds are used by the University of Hawai'i for the Cancer Research Center's research, operating, and capital expenditures. The bulk of the balances for this fund are needed for the new Cancer Center facility development costs. Funds are also needed for current and future commitments to support research efforts and to continue to recruit faculty to remain competitive as a National Cancer Institute-designated cancer center.

Student Health Center Revolving Fund (HRS 304A-2255)

The purpose of this fund is to allow the provision of certain essential medical services, supplies, drugs, and lab services as required in medical treatment; it also provides the ability to assess certain costs for reimbursement. The program provides medical care to the University community and promotes good health practices.

University of Hawai'i Capital Improvements Program Project Assessment Special Fund (HRS 304A-2172)

The purpose of this fund is to defray the costs involved in: 1) carrying out capital improvements program projects managed by the University; 2) equitably assessing, collecting, and distributing moneys for current and other expenses associated with projects; 3) managing the payment of expenses assessable against capital improvements program projects managed by or through the University; and 4) managing funds representing accumulated vacation and sick leave credits and retirement benefits for non-general funded employees under the capital improvements program projects managed by the University.

University of Hawai'i Commercial Enterprises Revolving Fund (HRS 304A-2251)

The purpose of this fund is to account for receipts and disbursements related to commercial enterprise activities including sponsorship in private, cultural, and athletic performances, goods and services produced by University programs, or the promotion of the University of Hawai'i through the sale of emblematic merchandise, the formal licensing program for the commercial use of the University's names and trademarks, and the hosting of IT workshops and training sessions. Funds are expended for all costs associated with the operations of the enterprises, including hiring personnel, renovating commercial space, and purchasing merchandise, supplies, and equipment.

Current Commercial Enterprise activities include:

- Promotion of the UH name through sales of emblematic merchandise to the general public at sporting events, retail locations (including the Rainbowtique at Ward Center), and via the Internet.
- Operation and monitoring of the Collegiate Licensing program.
- Operation of the Hanauma Bay Gift Shop, which sells marine-related items to the visitors of the Hanauma Bay Nature Preserve.
- Activities of the Social Sciences Training and Research Lab and the College of Business and Economics consultant services at the University of Hawai'i Hilo.

University of Hawai'i Community Services Special Fund (HRS 304A-2156)

The purpose of this fund is to support the University's public service programs.

Examples of programs currently supported by this fund include:

- The College of Tropical Agriculture and Human Resources Agricultural Diagnostic Service Center, which provides agricultural diagnostic services to the public (including sample analysis of soil, water, plant tissue, diseases, insects and pests, and feed and forage for State, Federal, and County agencies, agribusinesses, farmers, and homeowners).
- The College of Language, Linguistics and Literature's Hawai'i English Language Program (HELP), which provides full time intensive English language training for international students and scholars preparing to begin undergraduate studies, or for use in a scholarly professional setting. HELP offers English courses in four 10-week sessions and three 4-week summer sessions. It also offers weekly workshops and study sessions, and offers the institutional Test of English as a Foreign Language exam each quarter.
- The College of Language, Linguistics and Literature's Satellite program, which enables the college to provide telecommunications support to the UH system and agencies of the State of Hawai'i using their technical resources and language expertise.
- Development and offering of Outreach College's noncredit courses and programs, including performances and public events held for the benefit of the community beyond the University, and noncredit courses in subject areas that range from professional development to personal enrichment. International programs assist international students in developing their English language skills and assist those students who wish to apply to the University by ensuring that the student meets the University's academic requirements prior to entrance.
- Provision of administrative support for the programs and activities of the Outreach College (includes fiscal and personnel services, student services, marketing and computer services).
- The College of Arts & Humanities' Theatre Group, which supports production expenses, student assistant support, and provides a reserve for future production start up costs for the Kennedy Theatre Mainstage, Prime Time, Kennedy Theatre special events, Late Night Theatre performances, and music concerts, recitals, and festivals.

University of Hawai'i at Mānoa Intercollegiate Athletics Revolving Fund and University of Hawai'i at Hilo Intercollegiate Athletics Revolving Fund (HRS 304A-2261)

The revolving funds provide support for all activities (administrative, support services, and sports) necessary to operate and maintain an intercollegiate sports program with both male and female student participants. Revenue is earned through ticket sales, television and radio broadcast rights, corporate sponsorships, guarantees paid by opposing teams, and other related income. Expenses include salaries, travel for student-athletes, coaches and staff to competitions, recruiting of potential student-athletes, equipment, materials and supplies needed for operations, payments to

officials, dues, payment of guarantees to visiting teams, credit card fees for ticket sales, sports camp costs, and other operating expenses.

Western Governors University Special Fund (HRS 304A-2158)

The University has submitted legislation requesting repeal of this special fund.

University of Hawai'i Real Property and Facilities Use Revolving Fund (HRS 304A-2274)

The purpose of this fund is to account for revenue generated from the lease/rental of University facilities. Various fees are collected for short-term use of facilities (facility use charges, lease agreements, commercial filming charges, deposits for use of building keys by contractors, etc.). Expenses include the repair/replacement of classroom furnishings as well as supplies and services need to repair and maintain campus facilities.

University Parking Revolving Fund (HRS 304A-2275)

This fund is used to account for revenues and expenditures for the UH Hilo Parking operation. Revenue is generated via parking fees and fines. Expenditures are made in support of providing parking services.

State Higher Education Loan Fund (HRS 304A-2160)

The purpose of this fund is to support the disbursement of loans to needy students pursuing a college degree. The program awards and issues loans to eligible students, with the amount of the loan determined based on the need for financial aid, academic promise, and department.

Hawai'i Educator Loan Program Special Fund (HRS 304A-2161)

The purpose of this fund is to provide financial support to students and teachers who complete a state-approved teacher education program and who agree to teach as a full-time teacher in the Hawai'i public school system in a hard-to-fill position, or at a school located in a rural area. It is a tool to recruit college students to become educators and ensure that these graduates teach and remain in the Hawai'i public school system.

Community Colleges Special Fund (HRS 304A-2162)

The purpose of this fund is to account for receipts and disbursements related to special programs and activities including off-campus programs, summer session programs, overseas and study abroad programs, exchange programs, cultural enrichment programs, and consultative services which help make available the resources of the community colleges to the communities they service.

Center for Nursing Special Fund (HRS 304A-2163)

The purpose of this fund is to support the Center for Nursing, which was created by the Hawai'i State Legislature in 2003 (Act 198) to address the nursing shortage. The program collects and analyzes data and prepares and disseminates reports and recommendations regarding the current and future status and trends in the nursing workforce. It conducts research on best practices and quality outcomes, and develops plans for implementing strategies to recruit and retain nurses.

Library Special Fund (HRS 304A-2155)

The purpose of this fund is to provide photocopying services of library books and journals, access to printing from library databases, interlibrary loans, document delivery services, preservation services, and other library services to library users, faculty, researchers, and other educational institutions. Funds are also used to replace and repair lost, stolen, or damaged library materials.

Hawai'i Medical Education Special Fund (HRS 304A-2164)

The purpose of this fund is to support a plan for a health care workforce and state training program. Funding is dependent on securing funds by the Medical Education Council and from both public and private sources.

University of Hawai'i Risk Management Special Fund (HRS 304A-2151)

The purpose of this fund is to pay for settlements and judgments, claims, insurance premiums, and legal fees and costs for the University of Hawai'i.

University of Hawai'i at Mānoa Malpractice Special Fund (HRS 304A-2152)

The purpose of this fund is to maintain a reserve with which to pay expenses related to malpractice claims filed against John A. Burns School of Medicine faculty physicians. These expenses include judgments, settlements, attorney fees and other costs related to the defense against malpractice claims filed against faculty physicians and entities.

State Aquarium Special Fund (HRS 304A-2165)

The purpose of this fund is to support the operations of the Waikīkī Aquarium by providing a fund to receive revenue and process expenditures that occur in the daily operations of a public aquarium. Revenues are derived from admission fees, educational program fees, rental of the facility, and other miscellaneous activities that occur at the Aquarium site. Funds are used to maintain the State Aquarium, providing quality exhibits and education programs to the general public, and to support responsible husbandry and aquaculture techniques in both the exhibits and internal programs.

Energy Systems Development Special Fund (HRS 304A-2169)

The purpose of this fund is to develop an integrated approach and portfolio management of renewable energy and energy efficiency technology projects that will reduce Hawai'i's dependence on fossil fuel and imported oil.

Mauna Kea Lands Management Special Fund (HRS 304A-2170)

The purpose of this fund is to support the management of the Mauna Kea lands, including maintenance, administrative expenses, salaries and benefits of employees, contractor services, supplies, security, equipment, janitorial services, insurance, utilities, and other operational expenses; and the enforcement of the administrative rules adopted relating to the Mauna Kea lands.

John A. Burns School of Medicine Special Fund (HRS 304A-2171)

The purpose of this fund is to support the School's activities related to physician workforce assessment and planning within Hawai'i. This shall include, but not be limited to, maintaining accurate physician workforce information and providing or updating personal and professional information that shall be maintained in a secure database.

Child Care Programs Revolving Fund (HRS 304A-2252)

The purpose of this fund is to support the operation of the University's child care program, including renovations of the child care center. The program provides quality integrated child care services and provides training opportunities for the development of competent professionals by serving as a training site.

Discoveries and Inventions Revolving Fund (HRS 304A-2254)

The purpose of the Discoveries and Inventions Revolving Fund is to develop technologies which have potential commercial value, to support the administration of technology transfer activities, and to facilitate economic development through education and research undertaken at the University of Hawai'i. The University's Office of Technology Transfer and Economic Development (OTTED) assesses the commercial potential of new inventions, secures intellectual property rights with commercial potential, and markets licenses for those inventions to industry.

Transcript and Diploma Revolving Fund (HRS 304A-2256)

The Transcript and Diploma Revolving Fund was established as means to defray or recover costs of the preparation, ordering and issuance of transcripts and diplomas upon requests from students. The University of Hawai'i is required to maintain academic records for all students who have attended, and must be able to produce, on demand, a copy of the student's academic record. Diplomas (with covers) are also issued to each graduate.

University of Hawai'i Housing Assistance Revolving Fund (HRS 304A-2258)

The University has submitted legislation requesting repeal of this revolving fund.

University of Hawai'i Scholarship and Assistance Special Fund (HRS 304A-2159)

The purpose of this fund is to provide financial assistance to qualified students enrolled at the University of Hawai'i.

University of Hawai'i Alumni Revolving Fund (HRS 304A-2259)

Funds deposited into this fund are expended on costs associated with conducting alumni affairs activities and programs for the UH System. Current expenses include the purchasing of supplies and services for the publication of the UH magazine, Mālamalama.

University of Hawai'i Graduate Application Revolving Fund (HRS 304A-2260)

The purpose of this fund is to defray the cost of processing applications for graduate programs. Revenue is derived from the graduate program application fee. The costs of processing applications, including salaries, software and operating supplies are funded by this revenue.

Animal Research Farm, Waialeale, O'ahu Revolving Fund (HRS 304A-2262)

The purpose of this fund is to account for revenues from the sale of livestock raised on the Waialeale Livestock Experiment Station, and to account for expenditures required to maintain the station, conduct research experiments, and purchase livestock. Current program activities include livestock research projects of priority to the State of Hawai'i.

Seed Distribution Program Revolving Fund (HRS 304A-2263)

This fund was established to enable the seed distribution program to meet the demand for seeds from farmers, homeowners and seed companies. Revenues are generated from the sale of seed to farmers, seed companies, garden shops, educational institutions and homeowners. Current program activities include the cultivation and production of vegetables and garden seeds which are sold to the public.

Conference Center Revolving Fund, University of Hawai'i at Mānoa (HRS 304A-2264)

The Conference Center provides services in organizing conferences for a variety of sponsors. Services include coordination of registration and management of revenues and expenses for conferences and workshops. The sources of revenue are sponsor contributions, exhibitor fees and conference fees. Expenses include meeting room rental, food and beverages, and conference supplies.

International Exchange Healthcare Tourism Revolving Fund (HRS 304A-2265)
(inactive)

The University has submitted legislation requesting repeal of this revolving fund.

Education Laboratory School Summer Programs Revolving Fund (HRS 304A-2266)

The purpose of this fund is to support the operations of a Summer Program at the Education Laboratory School. The school offers three integrated programs for students entering grades three through eight. These programs are: the Summer Science Enrichment Program, the Computer-Plus Program, and the After-School Program. Over 200 students are enrolled each summer. Revenue in the form of tuition and fees is received primarily in March-May and expended from May-August. Funds are expended on the operations of the summer programs, primarily for personnel costs and supplies. The program is self-sufficient.

Center for Labor Education and Research Revolving Fund (HRS 304A-2267)

The purpose of this fund is to provide labor-related education, research, and education services at the University of Hawai'i at West O'ahu. Revenue is generated via class fees, fees for services, and private gifts to sustain the operation of the unit.

Career and Technical Training Projects Revolving Fund, University of Hawai'i at Hilo (HRS 304A-2268)

This fund was established to administer the vocational and technical training projects at UH Hilo. The sources of revenue for this fund are receipts from fees for services, and the sale of supplies provided by or in connection with these projects.

Community College and University of Hawai'i at Hilo Bookstore Revolving Fund (HRS 304A-2269) (inactive)

The University has submitted legislation requesting repeal of this revolving fund.

Hawaiian Language College Revolving Fund (HRS 304A-2270)

This fund is used to account for revenues and expenditures of the UH Hilo Hawaiian Language College. Sources of revenue include sales of Hawaiian language materials and other related items. Funds are expended to support the operation of the College.

University of Hawai'i-Hilo Theatre Revolving Fund (HRS 304A-2271)

The purpose of this fund is to account for revenues and expenditures of the UH Hilo Theatre operation. Revenue is generated via theatre ticket sales. Expenditures are related to the programs and performances held at the theatre.

Conference Center Revolving Fund, University of Hawai'i at Hilo (HRS 304A-2272)

The purpose of this fund is to administer the conference center program at UH Hilo, which promotes educational, scientific and artistic pursuits through conferences and seminars. Revenue is generated via conference fees and other related income. Expenditures are related to the administration of conferences, workshops, seminars and other educational activities.

Community College Conference Center Revolving Fund (HRS 304A-2273)

This fund is used to account for receipts and disbursements related to conferences, seminars, and courses administered under the conference center program. The fund is used for all costs associated with conducting conferences, including but not limited to expenses for honoraria, hotel and room rentals, food and refreshments, printing and mailing, airfare and per diem, leis, rental of audiovisual equipment, and conference supplies and materials. Revenues are from fees paid by participants and/or sponsors for conferences, seminars, and courses.

CONCLUSION

The fiscal and operational flexibility created by the University's control of its special and revolving funds are essential for the University to operate. In addition, they are required for specific purposes and, as described above, are obligated and earmarked for those purposes. Repealing the University's special and revolving funds would devastate our operations and reverse 25 years of progress in serving our students and the people of Hawai'i.

The University strongly opposes this bill. For the good of our students and the future of the State, we urge you not to pass this measure.

Thank you for the opportunity to provide this testimony.

Date: 02/10/2011

Committee: Senate Ways and Means

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 0120 RELATING TO STATE FUNDS.

Purpose of Bill: Repeals certain special funds and transfers balances to the state general fund. (\$)

Department's Position: The Department of Education (DOE) has significant concerns about two sections in this bill:

Section 3 would eliminate the exemption of the State Educational Facilities Improvement Special Fund (SEFI) from the imposition of the 5% fee for central services of government. Using an annual flow of \$200 million through SEFI, this gives a \$10 million significant reduction to the CIP appropriations to DOE for capital improvement projects and either reduces by 5% the volume of projects that DOE can undertake with a \$200 million total appropriation, or increases to approximately \$210 million the amount that must be appropriated for DOE to accomplish the same volume of work.

Section 15 would completely eliminate SEFI. SEFI has provided a floor beneath which appropriations for school repair and maintenance cannot fall, and is the vehicle for transferring to DOE that portion of the proceeds from the sale of general obligations bonds that DOE uses to pay for capital improvement projects. SEFI is also the vehicle from which payments are made for lease payments are made when DOE utilizes, at the direction of the legislature, this vehicle to finance the construction of new schools,

such as the proposed Kihei High School. In addition, SEFI requires that funds can be reverted between projects in SEFI but cannot be reverted for uses not covered by SEFI.

Written Testimony Presented Before the
Committee on Ways and Means
February 10, 2010, 9:00 a.m.
Conference Room 211

LATE

By
James J. Donovan III
Director of Athletics
University of Hawai'i at Mānoa

SB 120 RELATING TO CERTAIN SPECIAL FUNDS; REPEAL

Chair Ige, Vice Chair Kidani, and members of the Committees:

I am James J. Donovan III, Director of Athletics for the University of Hawai'i at Mānoa, and I am presenting personal testimony in opposition to SB 120 relating to repealing certain special and revolving funds including the University of Hawaii at Mānoa Intercollegiate Athletics Revolving Fund.

This bill repeals all UH special and revolving funds and transfers their balances to the state general fund. Such an action would be devastating for UH Mānoa and our athletics program. The University requires the flexibility to generate and expend funds for specific purposes, from student-led activities to research programs to the athletic program. Having such funds transferred to the state general fund endangers our ability to meet obligations related to those funds and virtually eliminates the opportunity for planning and prioritization by the athletic program.

The UH Mānoa Intercollegiate Athletics Revolving Fund was established in 1985 to account for the financial transactions of the UHM athletic programs. The financial support provided by the Revolving Fund covers all activities (administrative, support service, and sports) necessary and proper to operate and maintain an intercollegiate sports program at the NCAA Division I level for more than 450 male and female participants. Unlike General Funds, the UH Mānoa Intercollegiate Athletics Revolving Fund is unique and flexible. Intangible factors considered during the establishment were:

1. Providing flexibility to address unanticipated expenditures which may require an appropriation over the original ceiling; and
2. Permitting expenditures that are common and necessary to the operation of an athletic program that are not authorized by General Fund policies.

The Athletics Department Revolving fund earns revenue through selling tickets to intercollegiate events for football, men's and women's basketball and volleyball, and baseball. Additional revenue is earned from television and radio broadcast rights, corporate sponsorships, commissions on concession sales and vending, financial guarantees from contests played at an opponent's site, from various NCAA and Conference funds, and other revenue based initiatives. Expenses include payment to

Written Testimony Presented Before the Committee on Ways and Means
February 10, 2010, 9:00 a.m.
Conference Room 211
James J. Donovan III
Director of Athletics
University of Hawai'i at Mānoa

employees for services, travel for student-athletes, coaches and staff to competitions and meetings, recruiting of prospective student-athletes, equipment, materials, and supplies, payments to officials, payment of guarantees to visiting teams, credit card fees for ticket sales, conference dues, and other related expenses.

We empathize with the financial challenges the Legislature faces. The UH Mānoa Athletics program continues to generate approximately eighty percent (80%) of our annual revenue and we are constantly looking for additional revenue streams to develop.

Thank you for the opportunity to testify in opposition to SB 120.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

LATE

RANDY PERREIRA
Executive Director
Tel: 808.543.0011
Fax: 808.528.0922

NORA A. NOMURA
Deputy Executive Director
Tel: 808.543.0003
Fax: 808.528.0922

DEREK M. MIZUNO
Deputy Executive Director
Tel: 808.543.0055
Fax: 808.523.6879

The Senate
The Twenty-Sixth Legislature, State of Hawaii
Regular Session of 2011
Committee on Health

Testimony by
Hawaii Government Employees Association

February 9, 2011

S.B. 120 – RELATING TO
STATE FUNDS

The Hawaii Government Employees Association, AFSCME, Local 152, AFL-CIO, opposes S.B. 120 - Relating to State Funds. The purpose of the bill is to repeal various special funds and transfer the balances to the State general fund. Among the special funds the bill would repeal is Section 304A-2163, HRS, the Hawaii State Center for Nursing (HSCFN) Special Fund. Eliminating this special fund would destroy the HSCFN which, according to its legislative mandate, performs important research on the nursing profession locally, including best practices, quality outcomes and developing strategies to recruit and retain nurses.

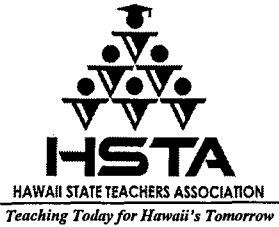
Moreover, the HSCFN Special Fund is comprised of fees collected from nurses upon issuance of a new license and at each renewal. The HSCFN Special Fund contains no state or federal funds. The HGEA supported the enabling legislation (Act 198, SLH 2003) that established the HSCFN at the University of Hawaii and we continue to advocate for it.

We represent approximately 1,200 public sector registered nurses and the loss of the HSCFN would be detrimental not only to our members, but thousands of registered nurses who work in the private sector.

Thank you for the opportunity to testify in opposition to S.B. 120.

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director



LATE

1200 Ala Kapuna Street λ Honolulu, Hawaii 96819
Tel: (808) 833-2711 λ Fax: (808) 839-7106 λ Web: www.hsta.org

Wil Okabe
President

Karolyn Mossman
Vice President

Joan Kamila Lewis
Secretary-Treasurer

Alvin Nagasako
Executive Director

**TESTIMONY BEFORE THE SENATE COMMITTEE ON
WAYS AND MEANS**

RE: SB 120 – RELATING TO STATE FUNDS.

February 10, 2011

**WIL OKABE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION**

Chair Ige and Members of the Committee:

The Hawaii State Teachers Association has objections to Sec 56 of SB 120 which eliminates the Hawaii Teacher Standards Boards special fund. The money to the funds was from the licensure fees that teachers paid to be licensed to teach in the State of Hawaii. The HTSB did not expend the monies collected from the teachers because there were savings from vacant positions, position freezes and the careful management of the fees. The HTSB also was given a grant by State Farm Insurance to promote and train national board certification candidates.

We recognize the challenges that the legislators and the governor face to balance the budget. It is indeed tempting to see money sitting in funds that cannot be used for other purposes when there is a \$700m shortfall in the budget. We understand that the use of this money would be for the greater good.

The elimination of the funds means that when the cost of operations rises, the teachers will be asked to shoulder the burden of increased costs. This will be another tax on the teachers because of the requirement to be licensed.

We urge that this special fund not be eliminated but if absolutely necessary the money in the fund be reduced so that in the future, the board can receive grants and donations. The elimination of the special funds will be a one shot effort to find money in this time of a down economy.

We urge that this committee reassess the action called for in this bill and to take a less harsh approach to special funds.

Thank you for the opportunity to testify.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-6552

LATE

KEITH M. KANESHIRO
PROSECUTING ATTORNEY



ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY

THE HONORABLE DAVID Y. IGE, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS
Twenty-sixth State Legislature
Regular Session of 2011
State of Hawai'i

February 10, 2011

RE: S.B. 120; RELATING TO STATE FUNDS.

Good morning, Chair Ige, Vice Chair Kidani, and members of the Senate Committee on Ways and means, the Department of the Prosecuting Attorney, City and County of Honolulu submits the following testimony in strong opposition to the following Sections of S.B. 120: Section 8, The DNA Registry Special Fund, Section 9, the Drug Demand Reduction Special Fund, Section 108, the Domestic Violence and Sexual Assault Special Fund, Section 128, the Child and Spouse Abuse Special Account in the Department of Human Services, Section 133, the Crime Victim Compensation Special Fund, and Section 144, the Spouse and Child Abuse Special Account in the Judiciary.

The purpose of this bill is to eliminate a variety of State Special Funds thus allowing additional revenues to accrue to the State General Fund, which presumably aids in addressing the anticipated State budget shortfall.

While the elimination of the various funds cited in the Sections cited above will have a dramatic effect on public safety and victim assistance in our state, none is more devastating than the proposed elimination of the Crime Victim Compensation. This is misguided effort at cost cutting that will ultimately most likely have the opposite effect and cost our state and our people far more than it saves. Since 1967 the Crime Victim Compensation program has been the bedrock of services to victims of violent crime in Hawaii, and a payer of the last resort that has rescued thousands of crime from financial and emotional destitution since its inception. Since this critical program operates entirely from the proceeds of their special fund, elimination of the fund is effectively giving it a death sentence. Ending this fund would bring to a close a program which provides not only for financial remuneration for crime victims, but it also offers and important gesture to victims of our collective apology for the wrongs that they have suffered due to crime. This is in stark contrast to the disparaging treatment often experienced by victims in our criminal justice system where they have traditionally been neglected and mistreated.

The Crime Victim Compensation Commission has done a marvelous job of developing self

sufficiency in operating only from the assessment on offenders and Federal VOCA reimbursements that are deposited into the fund. This has meant that no General Fund dollars have been spent on this program since 2003. The real folly of the proposed destruction of this fund is loss of the many federal dollars (also generated by assessments on offenders in Federal courts) that currently flow into Hawaii as part of the 60% match of the hundreds of awards made to crime victims by the Commission every year. It is hard to imagine a more penny wise, pound foolish approach to budget cutting than this proposal.

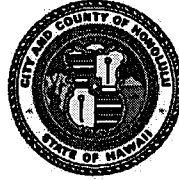
We strongly urge you to strike the Sections of the S.B. 120 noted above and in particular to save the Crime Victim Compensation Fund. Justice and compassion are equally served by saving these critical programs. Thank you for your time and consideration.

DEPARTMENT OF INFORMATION TECHNOLOGY
CITY AND COUNTY OF HONOLULU

850 SOUTH KING STREET, 5TH FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-7684 ■ Fax: (808) 527-6272 ■ Internet: www.honolulu.gov

LATE

PETER B. CARLISLE
MAYOR



GORDON J. BRUCE
DIRECTOR & CIO

FOREST A. FRIZZELL
DEPUTY DIRECTOR

TESTIMONY
of
GORDON J. BRUCE, DIRECTOR AND CHIEF INFORMATION OFFICER
Department of Information Technology
City and County of Honolulu
before the
COMMITTEE ON WAYS AND MEANS
on
Thursday, February 10, 2011
9:00 a.m.
State Capitol, Conference Room 211

In consideration of
SENATE BILL NO. 120 – RELATING TO STATE FUNDS.

Chair Ige, Vice Chair Kidani, and Members of the Committee on Ways and Means.

As the Director of the Department of Information Technology for the City and County of Honolulu, I oppose SB 120.

DESCRIPTION:

This measure repeals certain special funds, including the Public Utilities Commission ("PUC") Special Fund, and transfers balances to the State General Fund.

POSITION:

The City and County of Honolulu, as a member of the Wireless Enhanced 911 Board, opposes this bill with respect to the repeal of Hawaii Revised Statutes Section 138-3.

COMMENTS:

The measure seeks to repeal Section 138-3 of the Hawaii Revised Statutes that establishes the Wireless Enhanced 911 Fund. E911 is an essential service that provides support for wireless phone users who dial 911, the standard number for requesting help in an emergency. Since wireless users are mobile, enhancement to

The Honorable David Y. Ige, Chair
The Honorable Michelle Kidani, Vice Chair
Committee on Ways and Means
Testimony – SB 120, Relating to State Funds
Date: Thursday, February 10, 2011
Time: 9:00 a.m.
Place: Conference Room 211, State Capitol
Page 2

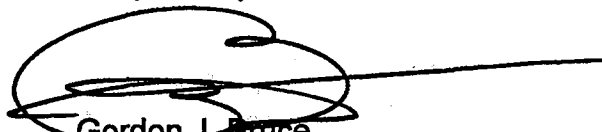
911 service is needed to allow the location of the user to be known to the call receiver or public safety answer point (PSAP). With more and more consumers relying upon cellular phone and voice over internet protocol (VOIP), the public's health and safety would be jeopardized if there is any compromise to the E911 service. Nearly 70% of all telephone calls to the Honolulu PSAP's come from wireless devices.

The Wireless Enhanced 911 Board ensures that the surcharge on wireless users is properly utilized for E911 support, hardware, software, upgrades, and maintenance. It is vitally important to the health and safety of everyone in this state that the E911 fund is not jeopardized. In addition, enhanced 911 services are expected to support newer communications processes such as text messaging and voice over IP.

The Department of Information Technology appreciates the concerns of this Legislature with the State's budget deficit and the desire to find as many possible sources of revenue to balance the State's budget. On the other hand, by placing the E911 fund into the general fund, the potential for compromise to the E911 service is too great a risk to the health and safety of the public. For this reason, the City and County of Honolulu, as a member of the Wireless Enhanced 911 Board, opposes this bill with respect to the repeal of Hawaii Revised Statutes Section 138-3.

Thank you for this opportunity to testify in opposition of SB 120.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gordon J. Bruce", is written over a circular stamp. A long horizontal line extends to the right from the end of the signature.

Gordon J. Bruce
Director and Chief Information Officer



DEPARTMENT OF THE PROSECUTING ATTORNEY
COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
PHONE (808) 270-7695 • FAX (808) 270-6188

LATE

TESTIMONY IN OPPOSITION TO SB 120
Committee on Ways and Means
Thursday, February 10, 2011
Conference Room 211 at 9:00 a.m.

February 9, 2011

Dear Senate Committee on Ways and Means:

I am strongly opposed to Senate Bill 120 which essentially eliminates the Crime Victims Compensation Commission (CVCC). It appears that the drafters of said bill have failed to or have refused to acknowledge that CVCC provides an invaluable service to victims who have suffered and are continuing to suffer from violent crimes. There is no other resource within the State of Hawaii that provides the financial services to victims who are in need of medical and/or psychological treatment.

Please consider the adverse affect that Senate Bill 120 will have among the many innocent victims who will forced to struggle without any financial and medical support without the above funding. I strongly urge your Committee to repeal Senate Bill 120.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. Rivera", followed by a horizontal line.

ROBERT D. RIVERA, ESQ.
Deputy Prosecuting Attorney



BERNARD P. CARVALHO, JR.
Mayor

GARY K. HEU
Managing Director

POLICE DEPARTMENT COUNTY OF KAUAI

3990 KAANA STREET, SUITE 200
LIHUE, HAWAII 96766-1268
TELEPHONE (808) 241-1600
FAX (808) 241-1604



DARRYL D. PERRY
Chief of Police
dperry@kauai.gov
www.kauaipd.org

LATE
LATE TESTIMONY

February 9, 2011

TO THE SENATE COMMITTEE ON WAYS AND MEANS

Re. SENATE BILL NO. 120

TESTIMONY OF THE KAUA'I POLICE DEPARTMENT

Honorable Members of the Committee,

The Kaua'i Police Department opposes the passage of Senate Bill 120 as it relates to the Wireless Enhanced 911 Fund and the repeal of Hawai'i Revised Statutes Section 138-3.

The deployment of phase I and phase II wireless enhanced 911 services is not a public safety edict that has been fully satisfied; nor can that edict be completed today and then left to fend for itself tomorrow. Our responsibility to place (and keep) our wireless 911 services in a position of readiness is never-ending. As public safety agencies, we must adjust to the ever-increasing number of wireless devices and evolving technology that accesses our 911 systems for emergency help and response. If we don't know who is calling and where you are calling from, we will not be able to help you. Added to the evolving and increasing challenges of technology, none of the 911 systems we currently have in place are expected to last a lifetime. They falter and fail, and eventually need to be upgraded or replaced.

A relatively small number of people are aware of the fact that our 911 system cannot receive and/or process emergency text messages from cellular phone users. So for example; a woman who is hiding in her bedroom closet from an abusive husband or a dangerous intruder will not be able to text a 911 message to our dispatch center. A student who is hiding under a desk while some crazed gunman is roaming the school campus will not be able to text critical information to the dispatch center and responding emergency personnel. Being that we do not even have the capability to receive emergency wireless text messages, we have not been able to even test whether we can accurately receive and process phase I and phase II data from these messages.

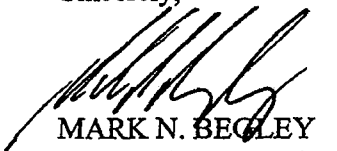
Passage of Senate Bill 120, as it relates to the WE-911 Fund, will place residents and visitors of our State at a heightened risk of not receiving an efficient emergency response when they need it.

Passage of senate Bill 120, as it relates to the WE-911 fund, will most likely prevent us from advancing to the point where we can efficiently receive, identify and locate emergency text messages.

The small, monthly \$0.66 surcharge on wireless telephone accounts is hardly noticeable. The benefit that it brings to your constituents in emergency services capabilities far outweighs any negative financial impact. The potential impact on our 911 system from the passage of Senate Bill 120 is too great a risk to the health and safety of our community members.

We humbly implore this Committee to reject Senate Bill 120 as it relates to the Wireless Enhanced 911 Fund and the repeal of Hawai'i Revised Statutes Section 138-3.

Sincerely,



MARK N. BEGLEY
Acting Chief of Police
(808) 241-1646
mbegley@kauai.gov



HAWAI'I
STATE FOUNDATION on
CULTURE and the ARTS

No. 1 Capitol District Building
250 South Hotel Street
Second Floor
Honolulu, HI 96813

Governor
Neil Abercrombie

Comptroller
Bruce A. Coppa

Chairperson
Mary Begier

Commissioners
Sandra Albano
Leonard Chow
Sandra Fong
Teri Freitas Gorman
James Jennings
Clifford Kaponu
Peter Rosegg
Sheryl Seaman

Executive Director
Ronald K. Yamakawa

Telephone
808.586.0305

Fax
808.586.0308

TT: 808.586.0740

Website
<http://state.hi.us/sfca/>

TESTIMONY OF
STATE FOUNDATION ON CULTURE AND THE ARTS
TO THE
SENATE COMMITTEE ON WAYS AND MEANS
ON
February 10, 2011

S.B. 120

Chair Ige and members of the committee, I am Ronald Yamakawa, executive director of the State Foundation on Culture and the Arts. Thank you for the opportunity to testify before you today on SB120. The SFCA opposes the repeal of the Works of Art Special Fund.

The Works of Art Special Fund (i.e., one percent for art law) was established in 1967, the first such law in the nation and a model for the legislation of other states and cities that followed. In 1989 the law was amended to make the administration of the Art in Public Places Program more efficient. In November 2002, the Hawai'i State Art Museum opened its doors, and support of the museum was integrated into the purpose of the fund. The Art in Public Places Program, the Hawai'i State Art Museum, and the State Art Collection have developed significantly as a result of careful management, hiring competent leadership, and sustaining public interest in and support of art as an essential part of our lives.

We caution against compromising the one percent law, a law that has survived because of its dedication to providing an aesthetic and humanizing complement to the built environment through art. The fund, which produces a conservative \$2.5 million each year, was

established to ensure the beautification and aesthetic value of public buildings through the placement of art in the architectural plan. This legislation represents an enduring creative partnership between the State and the Hawaii Chapter of the American Institute of Architects (AIA). The amount of 1% was set by the AIA, which agreed to designate 1% of the 6% contingency budget in capitol improvement (CIP) projects to support providing works of art for new state buildings. In addition to the establishment of the state art museum, significant contributions to Hawai'i made possible through the percent for art law include:

1. Creating and curating a “museum without walls” program for State buildings that introduces and interprets art to people in everyday environments such as schools, offices, and libraries;

2. Commissioning iconic works of art that represent the values of Hawaii's communities in important public venues such as the Hawai'i Convention Center, our international airports, and the University of Hawai'i campuses;

3. Recognizing and providing incentive for young artists by hosting the Scholastic Art Exhibition and award ceremony for secondary school students at the Hawai'i State Art Museum and the Student Art Exhibition and award ceremony for students in grades K-6 at the Hawai'i Convention Center;

4. Conducting the *Artists in Residence Program* in partnership with the Department of Education to create works of art for public school campuses with the participation of students, school administrators, teachers and the community;

5. Developing curriculum-based tours for school children in the Hawai'i State Art Museum, hands-on workshops for children and youth; and working directly with teachers on exhibit-related lesson plans;

6. Conducting a statewide restoration and conservation program for works of art, including those at the state capitol---Ruthadell Anderson's beautiful tapestries and Otto Piene's magnificent light sculptures in the House and Senate chambers and the lucid Tadashi Sato mosaic floor mural in the rotunda;

7. Our latest project---transforming the No. 1 Capitol District Building grounds into a contemporary sculpture garden--- will not only be more cost efficient for the State to maintain, but will attract more visitors, residents, and children to experience art up close, surrounded by an aesthetically integrated environment.

While cutbacks in FY 2010 have strained statewide energies and resources, the impact of our losses would be far greater if we lose our programs and services in arts education. The DOE has been forced to exclude art from its curriculum for budgetary reasons, which has compounded our task of providing arts education programming for children and youth statewide. We are committed to this task and are only limited through our physical resources.

The SFCA has maintained core programs largely through managing conservatively and standing by our hardworking and knowledgeable staff, the dedication and expertise of our commission, the integrity of our programs and the artists we represent. Most importantly, we are receptive to and inclusive of public perspectives. Our current strategic plan was developed with statewide input from diverse communities, backgrounds, and interests.

The State Art Collection is largely dedicated to support living local artists. Our collection is a unique contribution to the economic vitality of our state, not only because of its dollar value, but for its promise to our future generations. Works of art reveal where we come from; what we value; our identity as individuals and as a society; and where we are going. Repeal the Works of Art Special Fund and Hawai'i would lose

nearly half a century of valuable programming and services, links to our host culture, our multicultural heritage and the intent of the original vision of the architects of this legislation, Alfred Preis and the leadership of the AIA.

On behalf of the artists, architects, educators, art patrons, and future generations of this state, I urge you to keep the Works of Art Special Fund in the statutes as an active expression of the government's investment in and respect for the creativity and vision of its people.

Thank you for the opportunity to testify on this matter.

LATE
LATE TESTIMONY

HSCADV
HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

To: The Honorable David Ige
SENATE COMMITTEE ON WAYS AND MEANS

From: Veronika Geronimo
Hawaii State Coalition Against Domestic Violence

RE: SB120-OPPOSE

Hearing Date: 02-10-11 9:00AM in conference room 211

The Hawai`i State Coalition Against Domestic Violence (HSCADV) is a statewide coalition of domestic violence programs and shelters. HSCADV and its member agencies advocate for policies and services to end domestic violence in Hawai`i. On behalf of our member agencies, we thank you for the opportunity to express our concerns regarding SB120.

SB120 repeals certain special funds and transfers balances to the state general fund. This includes special funds such as the Domestic Violence and Sexual Assault Special Fund, which support or provide domestic violence and sexual assault intervention or prevention. A new survey conducted by the National Network to End Domestic Violence (NNEDV) reports a critical shortage of funds and staff in the state to assist victims in need of services, such as advocacy, legal representation, emergency shelter, interpretation, counseling, support groups, shelters, and case management. In 2009, there were 35 unmet requests for services on the day the survey was taken, on the same day in 2010, there were 95 requests for services that went unmet, largely due to lack of funding. Without these special funds, there is no guarantee that these essential services will continue to be funded through the general fund.

We realize that the Legislature has a monumental task in balancing the state budget with a projected \$71 million shortfall, but hope you will consider alternative revenue sources. Thank you for your consideration.



AlohaCare

For a healthy Hawaii.

LATE

February 10, 2011
9:00am
Conference Room 211

To: The Honorable David Y. Ige, Chair
The Honorable Michelle Kidani, Vice Chair
Committee on Ways and Means

From: Paula Arcena, Director of Public Policy

Re: SB120 Relating to State Funds

Thank you for the opportunity to testify on SB120 which would repeal certain special funds and transfers balances to the state general fund.

AlohaCare opposes SB120, Section 110, which repeals the community health center special fund.

SB120 would eliminate the only source of dedicated state fund for community health centers to provide care for the uninsured and community health center operations.


We understand the State is in dire need of funding due to our current fiscal crisis. However, while depositing CHC funds into the General Fund will yield short-term gains, there will be long term loses. Without funding, primary and preventive care currently provided by CHCs, will quickly turn into costly hospitals emergency and in-patient care at the expense of the State of Hawaii.

As mainstay Medicaid providers, mental health providers, dental care providers and rural providers, CHCs are a much less costly alternative to emergency care.

AlohaCare is a non-profit, Hawaii based health plan founded in 1994 by Hawaii's community health centers to serve low-income families and medically vulnerable members of our community through government sponsored health insurance programs. We serve beneficiaries of Medicaid and Medicare on all islands.

AlohaCare has been contracted by the Hawaii Department of Human Services since the QUEST program started in 1994 to provide insurance coverage for Medicaid eligible beneficiaries through the QUEST program. We serve approximately 75,000 QUEST enrollees statewide.

Thank you for this opportunity to testify.

To: The Honorable David Y. Ige, Chair, Committee on Ways and Means
The Honorable Michelle Kidani, Vice Chair, Committee on Ways and Means
Members, Senate Committee on Ways and Means
From: Trisha Y. Nakamura, Policy and Advocacy Director 
Date: February 8, 2011
Hrg: Committee on WAM; February 10, 2011 in Rm 211 at 9:30 a.m.
Re: **Strong Opposition to SB 120: Relating to State Funds (esp. §§ 120, 13, and 110)**

Thank you for the opportunity to provide testimony in strong opposition to SB 120, particularly sections 120, 13, and 110. The Coalition for a Tobacco Free Hawaii opposes these provisions as they impact funding for tobacco prevention and control which has been dramatically cut since Hawaii started receiving the funds in 1999. While we appreciate the serious economic considerations before your committee, we know that tobacco prevention and control efforts are necessary.

I. Funding for the Tobacco Prevention and Control Trust Fund Must Be Maintained

Section 120 of this measure eliminates the Hawaii Tobacco Settlement Special Fund by striking out HRS 328L-2. This provision lays out the mechanism for our State to ensure that Hawaii has a long-term stable source of funding for tobacco prevention and control, health promotion, and disease prevention.

Hawaii receives Tobacco Settlement moneys as the result of a settlement entered into between 46 states and the major tobacco companies to recover damages for tobacco-related health care costs paid by taxpayers because of the harms caused by cigarettes. HRS Ch 328L codifies the Legislature's intent and strong promise to Hawaii's people that our state will invest in proven efforts that reduce youth use of tobacco and to advance public health.¹ The Tobacco Settlement Special Fund was intended to maximize and ensure long-term stable funding for tobacco prevention and control, health promotion, and disease prevention.

Our strong tobacco prevention and quit smoking programs are working. We have successfully reduced smoking rates to in Hawaii from 1 in 4 youth to about 1 in 10 youth (24.5% in 2000 to

¹ Hawaii'i upon signing the settlement, agreed to "reduc[e] underage tobacco use by discouraging such use and by preventing Youth access to Tobacco Products" and avoid further cost of litigation to "achieve for [Hawai'i and its] citizens significant funding for the advancement of public health." (See Master Settlement Agreement, Recitals. Available at <http://ag.ca.gov/tobacco/pdf/1msa.pdf> (last visited Jan 28, 2010).

11.3% in 2009).² Between 2002 and 2008, the Department of Health conservatively estimates that \$402 million in direct medical care costs were saved as a result of less smokers (42,300 fewer adult smokers) and approximately 14,100 lives spared from tobacco-related deaths. Compare this to the \$58.6 million spent on tobacco prevention and control efforts in CDC and State funds, including Trust Fund amounts.³ This \$402 million is approximately 10 times the entire appropriation for the Department of Agriculture FY 2011 proposed budget. And it is almost half of the University of Hawaii's appropriation for FY 2011 proposed budget.⁴ **Tobacco prevention is necessary for the health of the people, and it helps the health of the State's budget.**

Still, tobacco continues to kill more people than alcohol, murders, AIDS, car crashes, illegal drugs and suicides COMBINED. Smoking costs us over half a billion dollars per year in smoking-related health care costs and lost productivity. The only thing standing between the next generation and the tobacco industry is tobacco prevention. By eliminating the Special Fund, the revenue stream to the Tobacco Prevention and Control Trust Fund will stop, causing programs to end and significantly reduced amounts for tobacco prevention efforts.

We cannot afford to cut funding for tobacco prevention any further. In the last few years, the Tobacco Settlement has been redirected away from tobacco prevention and public health efforts. The portion dedicated to funding strong prevention and quit-smoking programs has been whittled down from 25 percent to 12.5 percent to 6.5 percent. The portion of Tobacco Settlement Funds for the Trust Fund is already the smallest.

II. Without Strong Enforcement, We Risk Losing Tobacco Settlement Dollars

We risk losing tobacco settlement dollars if we eliminate the Tobacco Enforcement Special Fund that Section 13 of SB 120 proposes. The Tobacco Enforcement Special Fund provides the funds for the Tobacco Enforcement Unit at the State Attorney General's Office. The Unit depends on these funds to diligently enforce the Model Statute Hawaii needed to adopt to avoid nonpayment of tobacco settlement funds. Section IX(d)(2) of the Tobacco Master Settlement Agreement sets

² Department of Health, "Data Highlights from the 2009 Hawai'i Youth Tobacco Survey (YTS) and Comparisons with Prior Years" available at <http://hawaii.gov/health/healthy-lifestyles/tobacco/tobacco/resources/youth/2009%20HYTS.pdf>

³ Email from Department of Health to author, citing ROI calculation from DOH Epidemiologist Tonya Lowery St. John.

⁴ State of Hawaii, The Operating and Capital Budget-Statewide Summaries, available at <http://hawaii.gov/budget/bienniumbudget/budgetinbrief/02%20-%20Operating%20and%20Capital%20Budget.pdf>

forth the test whether a state should be subject to a loss in Tobacco Settlement payments because of a nonparticipating manufacturer adjustment; a critical component is whether the state had a statute in place and whether the state “diligently enforced the provisions of such statute during such entire calendar year.” HRS 675 was put in place to ensure nonparticipating manufacturers do not have a “cost advantage to derive large, short-term profits”⁵ The question becomes whether there was diligent enforcement of the statute. This diligent enforcement hinges on the Tobacco Enforcement Unit at the Attorney General’s office, funded by the Tobacco Enforcement Special Fund.

III. We Must Make Sure Community Health Centers Receive Funding

Many of the State’s community health centers provide tobacco treatment for patients. These services are critical. The CHC’s depend on the CHC Special Fund that Section 110 of this measure eliminates. The CHC’s are able to meet patients in their own community and provide culturally relevant and appropriate programs. For example, Kokua Kalihi Valley has been conducting research on the use of betel nut and tobacco to inform how they work tobacco use and prevent oral cancers in the Micronesian communities. And the Waianae Coast Comprehensive Center provides smoking cessation services to houseless communities and shelters on the Waianae Coast and West Side. The CHC’s serve primarily residents who are low income and who often have higher smoking rates. The Hawaii Primary Care Association has been working with its CHC’s to increase cessation services and protocols throughout the systems. It is critical that the CHC’s receive funding to meet the needs of residents, including in the area of tobacco treatment.

We ask that you take into consideration the important contributions tobacco prevention and control have made. Tobacco prevention efforts must continue. We ask that you eliminate Sections 120, 13, and 110.

Thank you for the opportunity to comment on this matter.

The Coalition for a Tobacco Free Hawai‘i (Coalition) is the only independent organization in Hawai‘i whose sole mission is to reduce tobacco use through education, policy and advocacy. Our organization is a nonprofit organization of over 3,000 organizations and members working to create a healthy Hawai‘i through comprehensive tobacco prevention and control efforts. The Coalition started in 1996, under the auspices of the American Cancer Society and was joined by the American Heart Association and the American Lung Association. These three organizations together with many others worked on the initial legislation on how the Tobacco Settlement moneys should be used to promote tobacco prevention and control

⁵ See HRS § 675-1(f).



LATE LATE TESTIMONY

Maui Land & Pineapple Company, Inc.

February 9, 2011

The Honorable David Ige
The Honorable Michelle Kidani
State Senate
Committee on Ways and Means

Dear Chair Ige and Vice Chair Kidani:

Re: Opposition to SB120, Section 36 and 37- Repealing the Natural Area Reserve Fund

Maui Land & Pineapple Company, Inc. (ML&P) opposes SB120, which would repeal the Natural Area Reserve Fund, and requests that your committee hold its passage.

Currently, Pu`u Kukui Watershed Preserve receives funding through our Natural Area Partnership Program (NAPP) contract with the State of Hawaii, which provides a 2:1 match for the PKW Preserve budget. Eliminating the Natural Area Reserve Fund would cut essential funding, having a devastating effect if not cessation of our conservation program. The Pu`u Kukui Watershed is Hawaii's largest private preserve, encompassing over 8,500 acres in West Maui. The preserve is critical to native habitats, endangered plant and animal communities. The island of Maui is dependent on this resource for its drinking and irrigation water supply. ML&P cannot manage this significant resource for the public benefit without the support of government funding.

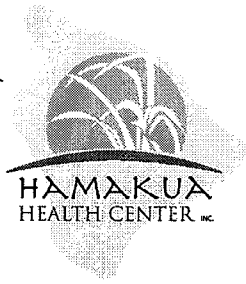
ML&P was instrumental in supporting the increase in the Conveyance Tax approximately five years ago, with the knowledge that those funds would specifically go toward the Natural Area Reserve Fund. We are concerned that funds from this tax will be reallocated to uses other than its original intent.

We understand the challenges the State is facing. Through our current NAPP contract (FY2006-2011), we have undergone significant budget cuts from State funding. Complete elimination of the Natural Area Reserve Fund would jeopardize critical conservation work statewide and have potentially irreversible impacts on our watersheds.

ML&P respectfully requests that SB 120 be held in Committee or that Sections 36 and 37 be deleted from SB 120.

Sincerely,

Ryan Churchill
President & COO



Hamakua Health Center, Inc.
45-549 Plumeria Street
Honokaa, Hawaii 96727

LATE

To: **Senate Ways and Means Committee**
The Honorable David Ige, Chair
The Honorable Michelle Kidani, Vice Chair

Testimony in Opposition of Section 110, Senate Bill 120
Repeals the Community Health Center Special Fund
February 10, 2011 9:00 a.m. Agenda, Room 211
Submitted by Susan B. Hunt, MHA, Chief Executive Officer

The Hamakua Health Center on behalf of our uninsured community strongly opposes Section 110 of SB 120. The community health center special fund was created in 2006. Cigarette tax revenues have been deposited into the fund since 2008 and are used to provide health care at community health centers, including health care for the uninsured.

In 2008, the special fund supplanted any general fund money that community health centers were receiving, and became the only source of state funding for community health centers to care for the uninsured. Last year, Act 192 became law and resulted in an annual loss of cigarette tax deposits into the special fund of about \$5-8 million dollars over three years.

This is the only source of dedicated state funding for community health centers to provide care for the uninsured and the operations of community health centers. The state budget cannot be balanced by sacrificing the health of those who are the most vulnerable and needy in our communities.

Hamakua Health Center has two locations in North Hawaii County in Honokaa and Kapa'au. We are the **ONLY** primary care providers accepting the uninsured! We are doing the best we can in facilities that are at capacity and we are the only ones still accepting new patients. In Honokaa, the only other private practice primary care provider besides HHC, is leaving as of April 1, 2011. Fortunately her patients have an option and that is Hamakua Health Center.

If we are not supported by the state we cannot continue to be:

- The mainstay of the Medicaid provider network.
- The only place open to the uninsured patients besides the ER.
- The safety net for people with mental illnesses.
- The provider of dental care for Medicaid patients and the uninsured.
- The source of care in rural areas without other health care providers.



LATE

February 9, 2011

Senator David Y. Ige, Chair
Senator Michelle Kidani, Vice Chair
Committee on Ways and Means
Hawaii State Capitol
Conference Room 211
415 South Beretania Street
Honolulu, Hawaii 96813

RE: S.B. No. 120 – Relating to State Funds

Dear Chairman Ige and Vice-Chair Kidani and members of the State Senate Ways and Means Committee,

I am Glen Hayashida, CEO, National Kidney Foundation of Hawaii (NKFH) and member of the Hawaii Coalition on Donation (HCOD). While we understand the intent and purpose of S.B. 120, we oppose the repeal of SECTION 119 Section 327-24, Hawaii Revised Statutes.

While this bill is designed to help reduce the number of special funds and increase the revenue of the general funds, Section 119, Hawaii organ and tissue education special fund, is financed by the public through a voluntary \$1 donation while paying for their car registration. By eliminating this mechanism of collecting this donation to support organ and tissue education, no future funds will be deposited into the general funds resulting in no revenue for the State.

The need for organ and tissue donors is vital. Close to 400 people in Hawaii are on the waiting for an organ. These funds have been used to create public service announcements, help in the development and promotion of the organ donor registry, and the development of educational materials. The projects were financed by the voluntary donation of the public and not through taxes.

We strongly ask for your support to eliminate the repeal of Section 119 in SB120. Thank you very much for this opportunity to testify.

P.O. Box 10009 • Honolulu, HI 96814
Phone: (808) 737-1719 • Fax: (808) 737-1733 • www.donatelifehawaii.org

LATE

Testimony on SB 120, Relating to Special Funds

**Ways and Means Committee
Chair: Senator David Ige
Vice- Chair: Senator Michelle Kidani**

February 10, 2011 9:00 am

Conference Room 211

**From: Gail Breakey, Executive Director
Hawaii Family Support Institute**

Good morning Senators Ige, Kidani and members of the Ways and Means Committee: I am Gail Breakey, Executive Director of the Hawaii Family Support Institute testifying against SB 129.

The problem with this bill is that it is a disincentive to many organizations who are already taking the initiative to seek federal matching funds and deletes the fund designated to receive the monies. Considering that a major goal of this administration is to maximize and aggressively seek federal funds, this bill is counter-productive. It will also gut funding that many of the organizations involved depend to run certain programs upon so that they do not have to ask for state funds.

For example, the early intervention fund functions by billing selected eligible costs of providing early intervention services for federal reimbursement under Federal EPSDT legislation, and receives the reimbursements into the early intervention fund to support early intervention services. Without billing on the part of Maternal Child Health Branch, the federal funds would be lost, i.e this is not a function that the Governor's office could assume. And the early intervention program would need to budget more general funds.

The most legitimate use of special funds is to utilize funding mechanisms which are related to the purpose for which funds are needed which is the case for most of the special funds which exist at this time, particularly in the human service arena. "Scooping" special funds currently benefiting human services is especially damaging when so many human services have already been cut to the bone.

Thank you for the opportunity to testify on this legislation



ASUH
Associated Students of the University of Hawai'i
YOUR STUDENT GOVERNMENT

L A T E

Senator David Ige, Chair
Senator Michelle Kidani, Vice-chair
Committee on Ways and Means

Andrew Itsuno
President
Associated Students of the University of Hawai'i

Tuesday, February 8, 2011

Testimony OPPOSING SB-120 RELATING TO STATE FUNDS

To the Honorable Chair David Ige, Vice Chair Kidani and members of the Committee,

I would like to state that on behalf of the Associated Students of the University of Hawai'i and its constituents, we stand united in the opposition of Senate Bill 120.

If these funds or any funds from the reserves were taken, the effects would be devastating for student-led activities, as well as for the University as a whole.

Many students depend on various student programs to provide them with services that are crucial to the college experience. In fact the students, petitioned to raise their own student activity fees because they had long range plans to utilize the funds to provide better services to the student body and the university. ASUH alone offers partial tuition awards, research grants, and student organization funding that helps ease the financial burden on students to attend the University and participate in different programs. If this bill were to pass, we would no longer be able to provide students with these opportunities.

It is understood that these reserves or cash balances are being considered for other uses because of the state's current financial situation, however, if this rationale is used, funds that are identified for very specific uses will not be used for their intended purposes.

Please do not penalize the Chartered Student Organizations and the students for their effective long-range planning and sound fiscal management.

I humbly ask that you oppose Senate Bill 120.

Thank you,

Andrew Itsuno
President
Associated Students of the University of Hawai'i
University of Hawai'i at Manoa

The Honorable David Y. Ige, Chair
The Honorable Michelle Kidani, Vice Chair
Committee on Ways and Means
Testimony – SB 120, Relating to State Funds
Date: Thursday, February 10, 2011
Time: 9:00 a.m.
Place: Conference Room 211, State Capitol
Page 2

L A T E

911 service is needed to allow the location of the user to be known to the call receiver or public safety answer point (PSAP). With more and more consumers relying upon cellular phone and voice over internet protocol (VOIP), the public's health and safety would be jeopardized if there is any compromise to the E911 service. Nearly 70% of all telephone calls to the Honolulu PSAP's come from wireless devices.

The Wireless Enhanced 911 Board ensures that the surcharge on wireless users is properly utilized for E911 support, hardware, software, upgrades, and maintenance. It is vitally important to the health and safety of everyone in this state that the E911 fund is not jeopardized. In addition, enhanced 911 services are expected to support newer communications processes such as text messaging and voice over IP.

The Department of Information Technology appreciates the concerns of this Legislature with the State's budget deficit and the desire to find as many possible sources of revenue to balance the State's budget. On the other hand, by placing the E911 fund into the general fund, the potential for compromise to the E911 service is too great a risk to the health and safety of the public. For this reason, the City and County of Honolulu, as a member of the Wireless Enhanced 911 Board, opposes this bill with respect to the repeal of Hawaii Revised Statutes Section 138-3.

Thank you for this opportunity to testify in opposition of SB 120.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gordon J. Bruce", is written over a horizontal line. The signature is somewhat stylized and overlaps the line.

Gordon J. Bruce
Director and Chief Information Officer

L A T E



MISC

MAUI INVASIVE SPECIES COMMITTEE

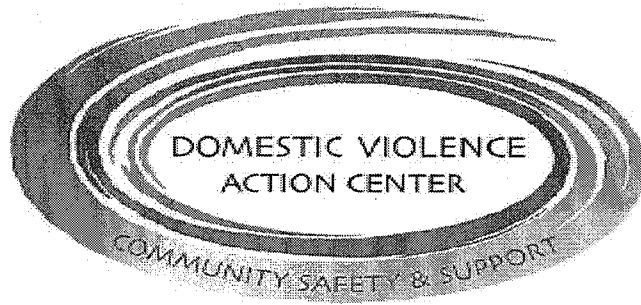
Testimony of the Maui Invasive Species Committee
Opposing S.B. 120 Relating to State Funds
Before the Senate Committee on Ways and Means
Conference Room 211

February 10, 2011, 9:00AM

The Maui Invasive Species Committee (MISC) opposes S.B. 120. This bill will repeal special funds within the state system, placing those funds within the General Fund. The Natural Area Reserve Fund would be included in this sweeping change. The Natural Area Reserve Fund (NARF) has supported a wide range of projects, including funding for Natural Area Partnerships, the Natural Area Reserve System, the Watershed Partnerships, the Invasive Species Committees, and the Youth Conservation Corps. Repeal of the NAR Fund will place all these programs in jeopardy.

Most of these programs have already suffered major cutbacks as a result of budgetary shortfalls, effectively sharing the pain of our statewide economic woes. The allocation process for these programs has been effectively managed by the Department of Land and Natural Resources. Making each one of these programs subject to the legislative budgetary process will create major budget uncertainties for each program, place availability of matching federal and county dollars at risk, create more work at the legislative level, and is delay fund disbursement, which could result in significant layoffs of existing trained staff. With all these funds already reeling from major cuts, now is not the time to abandon the current, functioning system for supporting vital work in our life-giving watersheds.

Please do not pass S.B. 120. Thank you for your consideration.



LATE

February 09, 2011

FROM: Nanci Kreidman, M.A.
Domestic Violence Action Center

TO: Senator David Y. Ige, Chair
Senator Michelle Kidani, Vice Chair
Members of the Committee

RE: SB 120 Opposed
Hearing Date: February 9, 2011, 9:00am, Conf. Rm #211

Aloha and good morning. Thank you for accepting our testimony in opposition to SB120.

There are accounts with funds collected from fees that support our community's vital safety net programs serving victims of spouse abuse, child abuse and sexual assault. We are concerned about the Spouse and Child Abuse Account which is located at the Department of Human Services and the Judiciary as well as the Domestic Violence and Sexual Assault Special Fund which is located with the Department of Health budget.

If these accounts are eradicated all current efforts will be decimated. Programs supported with these dollars will lack the support necessary to meet community need.

In addition, it is unclear whether the general funds would be invested to support these crucial community programs. It seems shortsighted to eliminate programs that assist the community in addressing problems that are costly and life threatening to island families and ultimately save money in the long run.

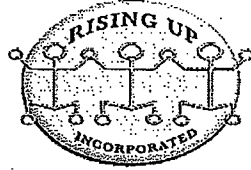
Thank you for considering our perspective on this important budget matter.

P. O. Box 3198 Honolulu, HI 96801-3198
Oahu Helpline:: 808 531-3771 Toll-free: 800 690-6200 Administration: 808 534-0040 Fax 808 531-7228
dvac@stoptheviolence.org www.stoptheviolence.org



Rising Up, Inc.

LATE



Strengthening Community Potential through Fiscal Sponsorship Services

To: Senator David Ige, Chair
Senator Michelle Kidani, Vice Chair
Senate Ways and Means Committee

Re: STRONG OPPOSITION to SB 120, Relating to State Funds
Hearing on Feb 10, 2011 at 9:00 a.m. in Room 211

Thank you for the opportunity to provide testimony on SB 120. I ask that you eliminate Section 120, which would eliminate funding for tobacco prevention and cessation efforts from the Tobacco Settlement Special Fund.

My name is Cara Sadira. I am the CEO of Rising Up, Inc. and the Director of the Tobacco Education & Assistance Program, which currently provides evidence-based tobacco treatment training to physicians, pharmacists, and university students throughout the State of Hawaii.

Our community needs funding from the Tobacco Settlement Special Fund to keep kids from tobacco use and to help smokers quit. Eliminating the Tobacco Settlement Special Fund and HRS 328L-2 means that there will be no revenues dedicated for our crucial tobacco prevention and control efforts.

This is deeply alarming. Our efforts have already seen a severe reduction in funding for tobacco prevention and control. In 1999, the Tobacco Prevention and Control Trust Fund received 25% of the Tobacco Settlement Dollars. In 2001, the Trust Fund portion was cut down to 12.5%. And in 2009, it was cut again to 6.5%. We cannot afford to cut it down completely.

We train providers to work with patients that are low-income, and also have a chronic illness. Many smokers live in transitional and/or group housing. They spend money on cigarettes instead of necessary medications and/or good food. These people need programs such as ours to train providers on effective methods of treatment. Without the tobacco funding, our program would cease to exist, leaving the populations that are most vulnerable in an addicted, destitute and chronically ill circumstance.

Rising Up, Inc. is a Registered 501©3 Nonprofit Organization
Providing Umbrella Nonprofit Status to Charitable Community Projects * Tax ID: 41-1731788
Contact: CEO & Board Chair, Cara Sadira, Master of Nonprofit Management * Telephone (808) 557-4838
E-mail cara@risingupinc.org * Website: www.risingupinc.org

Rising Up, Inc.



Strengthening Community Potential through Fiscal Sponsorship Services

Our programs work. We have seen strong reductions in youth smoking from almost 25% in 2000 to just above 11% in 2009. Our concern is that this progress will end if funds are further cut. All that stands between our youth starting to smoke and the tobacco industry is our tobacco prevention efforts. These efforts will be gone if funds are stopped.

I ask that you keep protect funding for tobacco prevention efforts.

Thank you for the opportunity to testify.

Cara Sadira

Rising Up, Inc, is a Registered 501©3 Nonprofit Organization
Providing Umbrella Nonprofit Status to Charitable Community Projects * Tax ID: 41-1731788
Contact: CEO & Board Chair, Cara Sadira, Master of Nonprofit Management * Telephone (808) 557-4838
E-mail cara@risingupinc.org * Website: www.risingupinc.org

LATE

February 9, 2011

Testimony regarding SB 120

By: Martha Staff, M.P.H.

Assistant Director

International Student Services, UHM

Home address: 748 21 st Ave., Honolulu, HI 96816

SB 120 which would repeal all UH special and revolving funds and transfer the balances to the state general funds, and would also impact many other special and revolving funds in the state affecting health, public safety, environmental issues, health services and economic development....must be defeated. Enactment of such a bill would devastate UH operations, since there are many special fund accounts, and would likely bring chaos to a variety of other state organizations which also operate significantly with special and revolving funds.

If this unethical bill is enacted, it becomes in effect a legislatively endorsed license to steal from programs that have developed funding streams specifically designated for a PURPOSE. In many cases these funds come from fees from the public or a particular constituency SOLELY to support these designated program. I do hope the measure is swiftly defeated.

Testimony Presented Before the
Senate Committee on Ways and Means
February 10, 2011 at 9:00 a.m.

LATE

SB 120 – RELATING TO STATE FUNDS

Chair Ige, Vice Chair Kidani and Members of the Committee:

Aloha. Thank you for the opportunity to provide testimony on this measure.

SB 120 eliminates over 100 special funds and moves them to the general fund. I would simply ask that you keep in mind that all these funds were created for purposes that were considered important for the State of Hawai`i. If these funds cease to exist, how will these needs be met?

Respectfully submitted

David Cameron Duffy

Chair, Executive Committee, University of Hawaii Association of Research Investigators

Unit Leader, Pacific Cooperative Studies Unit

Director, Cooperative Ecosystems Study Unit
University of Hawaii Manoa
3190 Maile Way, St John 410
Honolulu, HI 96822 USA
Tel 808-956-8218

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Julie Leialoha
Organization: Individual
Address: P.O. Box 1792 Keaau, HI 96749
Phone: 808-443-4039
E-mail: jakleialoha@hawaii.rr.com
Submitted on: 2/10/2011

Comments:
Late testimony

Senate Ways and Means

RE: SB-120 Relating to State Funds

Hearing date 2/10/11 Rm. 211

To Sen. David Ige – Chair Senate Ways and Means Committee, and Sen. Michelle Kidani – Vice Chair, members of the committee

Honorable members of the Senate Ways and Means Committee, I am in strong **opposition** of SB-120 in general, but will focus testimony on specific sections of this bill.

Section 35: Commercial Fisheries Special Fund (\$189-2,4 HRS)

Speaking as an individual Council member of the Western Pacific Fisheries Management Council (2010-2013), eliminating this fund would leave the State unable to license and make it impossible to monitor the commercial fishing industry. In particular, managing the resources that make up this multi-million dollar industry (\$71 million estimated for 2009 alone) would be irrevocably harmed. The current mandatory reporting system would be severely curtailed by this action with no way to monitor take and fish landings, and providing immeasurable opportunities for abuse for a higher take to an already stressed fisheries (e.g. bottom fish). This action also jeopardizes expected Federal Funds for FY-2012 of \$534,000 to the State of Hawaii.

Section 36: Natural Area Reserve Fund (\$195-9 HRS)

This fund in particular supports a number of programs including the Watershed Partnerships, Natural Area Reserve System (NARS), Natural Area Partnership Program (NAPP), Hawaii Youth Conservation Corp (YCC), Invasive Species Council Programs (ISC's), and the Plant Extinction Prevention Program (PEPP). All of these projects include "other" supporting funds which are leveraged with the Natural Area Fund, including Federal and private funds, as well as in-kind resources. Of particular concern is defaulting on current federal grant agreements which would jeopardize not only DLNR's credibility as a viable fundable State entity by Federal agencies, but also place projects into a position where seeking

private funds independently would be more difficult without a source match, which the majority of private funders require.

The Natural Area Reserve program established in 1970 preserves the most unique ecosystems within the State. Having worked in the program on the Big Island from 1991 to 1997, I have seen first-hand the many wonders these reserves have to offer. When I began with the reserve program within the DLNR's Division of Forestry on the Big Island, there were two of us dedicated to the project to manage 8 reserves totaling 82,000 acres (Big Island only). Today, the same program has a long term dedicated team of individuals whose expertise is imperative to maintain current standards, most of which are supported by this fund. Eliminating a total of 24 special funded positions and nearly all operating capital, and reducing operational funds to a mere \$800,000 to manage a total of 122,000 acres State wide would make it nearly impossible for the NARS program to survive. It would cost more to start up operations and bring it back to current standards should current management projects falter for more than a year. These areas are the jewels of Hawaii's ecosystems.

The Invasive Species Council Programs have struggled and prevailed through thick and thin since the inception of the first program started in 1996 with the Melastome Action Committee, which focused on controlling the highly invasive Miconia plant across the Big Island. I was one of the original members of the committee, including being Chair of the committee from 1996-1997 and securing the first Federal grant from the U.S. Department of Agriculture. I met and worked personally with then U.S. Secretary of Agriculture Richard Rominger to secure a \$250,000 grant for the committee, with a \$50,000 matching grant from Hawaii County, and \$100,000 in-kind match from State and Federal partners. This became the basis for the "Big Island Melastome Action Committee (BIMAC)" which later morphed into the Big Island Invasive Species Committee. Each County now has an Invasive Species Committee supported in part by this fund. I became the Manager for the Big Island Invasive Species program in 2004 to 2009 where staffing was increased and target species expanded to a primary target species list of 9, with an early detection species list of over 200 potentially highly invasive species by 2009. SB-120 eliminates all funding, which would result in the loss of 26-temporary hires, completely crippling the ISC's ability to function. In addition current Federal leveraged funds of \$400,000 would be loss unless a matching source is found. This is simply not acceptable.

Section 37: Forest Stewardship Fund (§195-4 HRS)

As with the Natural Area Reserve fund, the Forest Stewardship Fund supports a variety of projects as well. My primary concern here again would be the inability of DLNR to fulfill current long term obligations or meet long term funding agreements with the U. S. Department of Agriculture. Within the Forest Stewardship Program alone, we are looking at the State losing \$100,000 in operational funds and \$1 million in acquisition funds and another \$43 million from the Conservation Reserve Enhancement Program (CREP). That's insane given our current fiscal crisis and should raise legal concerns with mandatory obligations outlined in current agreements.

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Logan Iwatate
Organization: ASUH-KCC
Address: P. O. Box 138 Waimea HI
Phone: 8083464735
E-mail: Iwatate@hawaii.edu
Submitted on: 2/10/2011

Comments:

Dear Senate Ways and Means Committee,

My name is Logan Iwatate, I am the Business Education Senator for the Student Government at the University of Hawaii at Kauai Community College. I am against SB 120, which would repeal all University of Hawaii special and revolving funds and transfer their balances to the state general fund.

As a student leader with the Associated Students of the University of Hawaii at Kauai Community College (ASUH-KCC) Student Government, we use this specific student activity fee revenue to support numerous co-curricular programs, campus organizations and community events that we sponsor every semester. I am one of the many active student leaders in my community, that supports productivity for student life and community relations. Without proper funding there will be no community support, no events for students, and the value of education as a whole will be depleted solely for what ever the purpose is supported by the SB 120.

The upcoming generation of young people and students are our future that we rely on to build our future. To take away from that would be killing a whole society that is already struggling in poverty due to the big hit our country took economically.

Student activity fee revenue also support on-going Student Life Center rejuvenation projects that enables ASUH-KCC Student Government to update and replace broken furniture, purchase better computer equipment and sustains us with our day-to-day operations.

Repealing our student activity revolving fund would cripple our student life programs and student led activities. I really do hope that this matter can be resolved other than taking away the little money that we have.

LATE

Honorable Senator David Y. Ige, Chair
Honorable Senator Michelle Kidani, Vice Chair
Senate Committee on Ways and Means
Members of the Senate Committee on Ways and Means

Re. SB 1107

HEARING SCHEDULED FOR THURSDAY, FEBRUARY 10, 2011
AT 9:00 A.M., HAWAII STATE CAPITOL

Dear Honorable Senator David Ige, Chair and Members of the Senate Committee on Ways and Means:

Please support SB 1107 and pass this measure.

It does not make sense to “force” a related company which has affiliates, into having to pay a third-party Payroll Service company, to do a portion of their payroll processing, when the related company is more than capable of carrying out this payroll processing internally.

However, this is exactly what the current form of HRS 237-23.5 does.

The alternative for the related company, to not turning this activity over to a third-party Payroll Service company, is to be penalized by having to pay an additional G.E. tax.

This matter comes more clearly to light, when one compares the G.E. taxes that are paid by a related company (for the handling of the accounting and payroll services for its affiliates), in contrast, to what the G.E. taxes would be if the same activities were paid for through a third-party Payroll Service company – particularly when dealing with the repairs and maintenance of buildings.

To put another way, the G.E. taxes are different, when these same repairs and/or services, are paid for through a third-party Payroll Service company – Instead of being paid for through an affiliate’s related company. Keep in mind that this is for exactly the same repairs and/or services.

This law in essence, bolsters the third-party Payroll Service industry, at the expense of every other private company that would otherwise choose to handle their own payroll service for these type of matters.

Please put a stop to this inequality in the current law, by passing this bill.

Thank you.
Alohastates1@aol.com

Testimony for WAM 2/10/2011 9:00:00 AM SB120

LATE

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Darsha Lee
Organization: Individual
Address:
Phone:
E-mail: darsha@hawaii.edu
Submitted on: 2/10/2011

Comments:

Dear Senators,

As a UH Manoa student I do not support your introduction of SB120. While this bill negatively impacts funds such as those for cancer research, the Center for Nursing, support of the arts, community health centers, our libraries, Hawaii Historic Preservation, prevention of spouse and child abuse amongst many others, I am specifically giving testimony regarding your proposed confiscation of UH Manoa revolving funds for student activities.

The past years have been brutal on the University of Hawaii. With millions of dollars in State initiated-budget cuts, I have seen lecturers axed and class sizes that are ridiculously packed. At the same time I have experienced a simultaneous increase in tuition. Now, once again, you, our senators, are sending the message that you do not care about higher education in Hawaii. The fund that you are proposing to use to patch up your deficit are funds that support student activities such as Ka Leo and KTUH as well as grants that allow UH to remain a Research 1 institution. These student organizations function to keep our fractured student body connected and offer opportunities for students to exercise our right to free speech in a safe and supportive environment. Research grants have furthermore enriched our university's competitiveness even while the state has cut UH Manoa funding. Just as I don't expect senators to work for free and therefore I pay taxes, I do not expect those who provide essential services at our university to work for free, and therefore I pay student fees. I do not pay student fees for the State to take this money and use it to alleviate their projected deficit.

I am also curious to know the personal reasons behind Senator Solomon's introduction of this bill. With her support in January of SB1212 which sought to repeal UH's fiscal autonomy and with her introduction of SB120, it seems that this senator is bent on attacking higher education in the state of Hawaii.

I am shocked and ashamed that Senator Clayton Hee, the senator representing Kaneohe, the place where I live is one of the supporters of this bill. As a graduate of UH Manoa himself, both at the Bachelor's and Masters level, I am disgusted that he would see it fit to take away opportunities from students who are currently at his alumni institution.

Senator Kahele's involvement in this bill is also disturbing when this bill's intentions are compared with his personal promise to "do the best I can for everybody, the whole state and the senatorial district 2." I have to ask, how robbing funds from places that need these funds such as cancer research, community health centers, Hawaii Historic Preservation, and UH Manoa activities, is in any way in the interest of the people of this state. These funds are instituted because of the past inability of the state to provide enough money to support these essential components. Now, the State with SB120 is proposing to punish the University students simply because we have been fiscally responsible in managing our funds, adding insult to repeated injuries of these past years.

Senator Ryan's involvement in this is also incredibly contradictory when it is compared to SB1524, where she was more than willing to support 63 and a half million dollars in improvements in her own district covering Kailua, Lanikai, Hawaii Kai, and Waimanalo while at the same time, supporting SB120 which is an attempt to take away money that is not for the state and comes from sources that have repeatedly abused by the state. As a student, I am tired of this abuse.

I am extremely displeased with your introduction of Senate Bill 120. Year after year, I am forced to listen to Hawaii State Government complaints about projected deficits. Year after year I am forced to see education shuffled off to the side because my senators are unable to do their jobs properly. I am tired of this. I am tired of the state picking on those who they deem unimportant, spitting in our faces with poor research and planning, and a bill where student contribution has simply become an ungraciously crossed out line item on a list. I do not support this continued abuse and I do not support the senators who are willing to support this ongoing abuse.

I started this testimony with "Dear Senators," but it has increasingly become apparent to me that we are at a time and place where a handful of senators have marred the face of democratic procedure with their incompetent introduction of this bill, SB120. The choice today is not just about your deficit. It's about this bill's intent to rob a student sponsored fund, alienate the University's students even further from one another, and stomp on our rights of free press and free speech. But most of all, this bill illustrates your willingness to choose your own security over the security of future generations, to choose to squander the present instead of saving for the future and for these reasons I urge all the senators today to support Hawaii's future generations rather than this short-sighted bill.

9 February 2011

**PERSONAL TESTIMONY IN STRONG OPPOSITION TO HB 712:
Relating to State Funds**

**TO BE HEARD BY THE SENATE WAYS & MEANS COMMITTEE
ON 2/10/11 AT 9:00 AM AT CONFERENCE ROOM 211.**

Aloha mai e Chair David Y. Ige, Vice Chair Michelle Kidani, and members of the Senate Ways and Means Committee. I thank you for this opportunity to provide my personal testimony in strong opposition to Senate Bill 120.

My name is Maya Kawailanaokeawaiki Saffery. I am a faculty specialist at Kawaihuelani Center for Hawaiian Language at the University of Hawai'i at Mānoa. However, today, I present personal testimony as a concerned individual.

I strongly oppose SB 120 because, if passed, it would devastate UH operations, as well as operations of other agencies providing vital services in our community that we cannot afford to do without. In terms of impact on the University of Hawai'i, its ten campuses and their many units depend greatly on special and revolving funds to not only maintain their daily operations but also to develop, implement, and disseminate programs, resources, and services that support advancements in effective instruction, groundbreaking research, and valuable community outreach. As stated in the larger mission of the UH System, "The teaching, research, and service provided by these institutions will prepare the liberally educated and highly skilled workforce essential for the future economic success, health, and well-being of this island state as it participates in a global society"¹, however, this bill will limit the ability of the academy to achieve this mission by removing the funding that supports and sustains its fundamental programs, resources, and services. Furthermore, much of this kind of funding is generated and secured by the faculty, staff, and students of the university itself, such as student tuition monies and RTRF funds. To think that the monies generated and brought into Hawai'i and the university would be taken away from those who worked so hard to secure it so that they can continue to make important contributions to our local and global community is ludicrous.

I am keenly aware of the tremendous concern about this bill within the UH community as well as throughout broader Hawai'i community. If all special and revolving funds were to be repealed and their balances transferred to the state general fund, as laid out in this bill, it is completely unclear how the critical needs covered by many of these funds would be met in the future. It is our fear that many of these services and programs will either be drastically crippled or entirely eliminated as a result, thus negatively impacting the health, safety, education, economy, and environment of Hawai'i and its residents. For all these reasons, I strongly urge you to oppose Senate Bill 120.

¹ From the 2002-2010 University of Hawai'i System Strategic Plan that can be accessed at:
<http://www.hawaii.edu/ovppp/stratplan/UHstratplan.pdf>

LATE

Senator David Ige, Chair of the Senate Ways and Means Committee
Senator Michelle Kidani, Vice Chair of the Senate Ways and Means Committee
Senate Ways and Means Committee
Thursday, February 21, 2011
Conference room 329, 9:00 a.m.

In opposition of SB 120

My name is Jackie Ng-Osorio and I am testifying in opposition of SB 120, section 110.

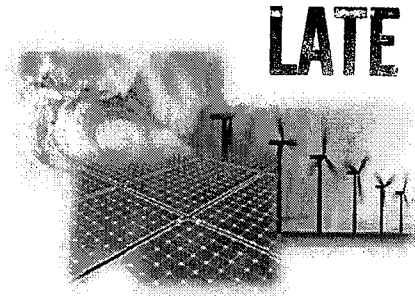
I am writing in opposition because the repealing of special funds, such as the Community Health Center (CHC) special fund discussed in section 110 does not alleviate our State's problems. Instead, these repeals increase them due to the cutting of funding to safety net organizations such as the CHCs that are located throughout the state whose services help to reduce overall costs to the healthcare system. Overall, the CHC model of care saves \$1,262 per patient per year; that means \$160 million in savings to the State in 2010. The CHC special fund is the only state directed funding to community health centers.

The CHCs utilize these funds provided by the state to provide care to those who need it, the uninsured, the indigent, homeless and immigrant populations. Between 2009 and 2010 71% of all patients were either uninsured or covered by QUEST. These at risk populations are able to find health care at CHCs as do many others who find the CHCs a place of good quality care. The relationships that are formed in CHCs allow the providers to reach their patients and families, not only for health care, but also mental health and dental care. In doing these patients are not finding routine care at an emergency room or receiving care when the care has moved from preventative to needing immediate treatment. Furthermore, in rural areas such as the Waianae coast or Hana, these community health centers are the community's only option, in fact 72% of patients are from rural designated areas.

Although, funding to the CHCs has remained flat within the past 6 years, the number of patients being seen continue to increase. With the state of the economy and additional cuts to other programs this does not seem as if it will be changing, but instead the trend will continue to increase. Without funding CHCs will struggle with operations and have to reduce resources, thereby impacting the number of patients that will be reached.

In closing, please oppose SB 120 section 110 and protect the healthcare of the 125,000 served by the community health centers.

Mahalo.



SENATE COMMITTEE ON WAYS AND MEANS

February 10, 2011, 9:00 A.M.

Room 211

(Testimony is 2 pages long)

TESTIMONY IN OPPOSITION TO SB 120

Chair Ige and members of the Committee:

The Blue Planet Foundation respectfully opposes SB 120, a measure eliminating a number of special funds dedicated to developing Hawaii's clean energy future. Our position and testimony on SB 120 pertain only the sections of this measure regarding energy: Sections 38, 42, 50, 53, and 77.

Section 38. Energy Security Special Fund

The Energy Security Special Fund (ESSF) is dedicated to the state planning and implementation of Hawaii's clean energy future. The ESSF currently receives 15% of the revenue generated by the tax on imported petroleum. This money is directed to the state Energy Office housed within the Department of Business, Economic Development, and Tourism (DBEDT). The Energy Office is currently funding primarily by federal stimulus funding—funds that will expire completely in 2012. Unless general fund monies are appropriated, the State Energy office and its staff lack dedicated funding. The nexus between a barrel tax and the state energy office is clear: tap the source of Hawaii's energy problems to fund its solutions.

Section 42, Renewable Energy Facility Siting Special Fund

The Renewable Energy Facility Siting Special Fund is dedicated to streamlining the siting and permit process for large renewable energy facilities. The fund collects fees from applicants who use the state energy resources coordinator's facilitation process (§201N-4), as well as funding from federal sources. The special fund enables the facilitation process to accelerate the development of clean energy projects in Hawaii.

Section 50, Natural Energy Laboratory of Hawai'i Special Fund (NELHA special fund)

The NELHA special fund (§227D-5) collects moneys and fees from tenants or other users of NELHA's parks, projects, other leased facilities, and other services and publications as well as

Jeff Mikulina, executive director • jeff@blueplanetfoundation.org

55 Merchant Street 17th Floor • Honolulu, Hawaii 96813 • 808-954-6142 • blueplanetfoundation.org

any grants or gifts received by the authority. These funds are used to support the operation, maintenance, and management of NELHA's parks, projects, facilities, services, and publications, and for the design and construction of new facilities and the renovation of existing facilities. The Natural Energy Lab helps to incubate, commercialize, and showcase clean energy projects in Hawai'i.

Section 53, Public Utilities Commission Special Fund (PUC special fund)

The PUC special fund collects a fee from regulated utilities and in turn applies those funds to the operations of the PUC. The fee collected pursuant to §26 9-30 is equal to one-half of one per cent of the gross income from the public utility's business during the preceding year. The PUC is charged with developing and enforcing policies that govern the lifeblood of Hawaii's economy: electricity. They need to be properly funded to successfully navigate the multi-billion dollar transition to a clean energy future.

The PUC is currently deliberating dockets that will fundamentally reshape Hawaii's electric utility sector. Smart grid, reliability standards, feed-in tariffs for clean energy, integrated resource planning—these dockets require thorough deliberation, research, and expert input. The PUC must have the talent and resources to adequately investigate and develop the right policies for Hawaii's 21st century electricity industry. The full amount of revenue generated by the PUC utility fee should be dedicated to the public utilities commission.

<u>Funds</u>	<u>FY 2008</u>	<u>FY 2009</u>
PUC special fund revenue	\$ 17,443,000	\$ 17,617,000
PUC budget	\$ 7,719,000	\$ 8,279,000
Transfers to general fund	\$ 9,724,000	\$ 9,339,000

Section 77, Energy Systems Development Special Fund

The Energy Systems Development Special Fund (ESDSF) currently receives 10% of the revenue generated by the tax on imported petroleum, as well as federal and private funding. This money is dedicated to the Hawai'i Natural Energy Institute for awarding contracts or grants to develop and deploy technologies that will reduce Hawaii's dependence on imported energy resources and imported oil. This special fund enables cutting-edge research on clean energy technologies that can be deployed in Hawai'i.

Blue Planet Foundation respectfully asks that these five special funds remain intact, as they help Hawai'i transition to clean energy and help leverage federal and private capital for clean energy research, development, and implementation.

Thank you for the opportunity to testify.

Personal Testimony of Alan Grosenheider, Associate University Librarian

Regarding the impact of SB120 on the University of Hawaii at Manoa Library.

Paula T. Mochida, the University Librarian, would most assuredly want to present personal testimony as well except she is on the Big Island for a meeting of the University of Hawaii Library Council which is the body responsible for planning of consortial purchases for the libraries and of the University of Hawaii system-wide library catalog, Voyager; both functions are funded in whole or part with special and revolving funds.

This proposal would repeal all UH special and revolving funds and transfer their balances to the state general fund. Such an action would be devastating for UH-Manoa and particularly for the Library. The potential impact would have ripple effects across the campus and the entire UH System as well as into the communities it serves.

The Voyager catalog is supported by two Library faculty and five staff; of these, one faculty and two staff have their salaries covered by special funds. Likewise, the non-UH-Manoa portion of the server, hardware and software costs are covered by special funds. Equipment needs to be replaced on multi-year schedules and software needs to be regularly upgraded. The loss of these staff positions not to mention our inability to maintain the equipment would make it difficult if not impossible to continue to have a single, shared catalog for the UH System. Resources at the other campuses would have to be diverted from providing services or access to library resources and research materials to maintain their own individual databases.

Consortial purchases which rely upon the use of special funds would be impacted. Currently, UH-Manoa has been able to purchase on behalf of the entire faculty and student body of the UH System access to databases, electronic journal articles and electronic books by using pooled special funds. The other campuses might no longer be able to afford these subscriptions individually and indeed UH-Manoa would be hard pressed to cover the costs alone.

Fines and fees collected by the Library pay for staff and student assistants who provide service in Hamilton Library and Sinclair Library and its Student Success Center. Their services directly impacts the quality of UH-Manoa students' learning and of the faculty's research as well as outreach activities the Library does for the state [e.g. exhibits developed at UHM Library have toured local high schools].

Special and revolving funds are used to provide for computing needs of the students in both Hamilton Library and Sinclair Library through a partnership with UH Information Technology Services. Equipment needs to be replaced on multi-year schedules and software needs to be regularly upgraded; and, lab monitors provide guidance and help for UH students. Not everyone student or their family can afford a personal computer; for many this is a crucial resource.

Any reduction in special and revolving funds or our inability to effectively and efficiently plan for their expenditure will have wide-ranging consequences. For example, it could entail the diversion of funds from library resources and research materials to support these services we have been able to pay for by generating special funds. Any reduction in library resources and research materials could have a negative impact upon the research enterprise of the University which could then result in a negative impact upon the ability of the University to be awarded grants. I am sure I do not have to tell you how significant the amount of federal money UH-Manoa brings into the State via grants is for the economy.

Please vote no on SB120; its passage would have negative consequences for the UH, its students, its communities and ultimately the State.

Mahalo nui loa for your consideration.

Testimony for WAM 2/10/2011 9:00:00 AM SB120

LATE

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Carolyn K. Kuba
Organization: Individual
Address: 2445 Campus Road, Hemenway 200-B Honolulu, Hawaii 96822
Phone: (808) 956-8821
E-mail: ckuba@hawaii.edu
Submitted on: 2/9/2011

Comments:

E-MAIL TESTIMONY

Date: February 9, 2011

To the Honorable Senators of the Ways and Means Committee, State of Hawaii:

I am in opposition to SB 120 which repeals all UH special and revolving funds and transfers the accumulated balances to the state general fund. I do not believe that the "sweep" should be all inclusive.

The Department of Dental Hygiene maintains a 16-chair full-service clinic providing dental hygiene services to not only the University community but to the community-at-large. The Department of Dental Hygiene at the University of Hawaii at Manoa has had limited administrative support over the thirty years I have been affiliated with the University. As a means of implementing a program to address needs of the underfunded department including the establishment of a long-term incremental equipment replacement plan, a service fee of \$25.00 per cycle of dental hygiene appointments was implemented. The funds have been used to purchase costly dental equipment, and more recently, to cover shortfalls incurred for faculty positions.

I invite you to examine the use practices of the Department of Dental Hygiene. The funds have been used to meet instructional needs of the program which has enabled the department to continue to graduate students who are able to license to practice dental hygiene in Hawaii within 1-1/2 – 2 months from commencement. Success for UH-Manoa dental hygiene students for 2010 are as follows:

National Board Dental Hygiene Examination 100% (on first attempt)

State of Hawaii Clinical Examination administered by the Central
Regional Dental Testing Service 100% (on first attempt)

Please be assured that the funds are being used to maintain the quality of the only baccalaureate dental hygiene educational program in the State of Hawaii where state funds have been unavailable.

Thank you.

Sincerely,

Carolyn K. Kuba
Chairman
Department of Dental Hygiene

M A R I L Y N J . G A G E N , C P A L L C

TO: SENATOR DAVID IGE, CHAIR
SENATOR MICHELLE KIDANI, VICE CHAIR
SENATE WAYS AND MEANS COMMITTEE

LATE

STRONG OPPOSITION TO SB 120, RELATING TO STATE FUNDS HEARING ON FEB 10, 2011 AT 9:00 A.M. IN ROOM 211

Thank you for the opportunity to provide testimony on SB 120. I ask that you eliminate Section 120, which would eliminate funding for tobacco prevention and cessation efforts from the Tobacco Settlement Special Fund.

My name is Marilyn J. Gagen. I am a self-employed CPA. I am also a board member and volunteer for the American Heart Association and the Coalition for a Tobacco Free Hawaii.

Our community needs funding from the Tobacco Settlement Special Fund to keep kids from tobacco use and to help smokers quit. Eliminating the Tobacco Settlement Special Fund and HRS §328L-2 means that there will be no revenues dedicated for our crucial tobacco prevention and control efforts.

This is deeply alarming. Our efforts have already seen a severe reduction in funding for tobacco prevention and control. In 1999, the Tobacco Prevention and Control Trust Fund received 25% of the Tobacco Settlement Dollars. In 2001, the Trust Fund portion was cut down to 12.5%. And in 2009, it was cut again to 6.5%. We cannot afford to cut it down completely. Smoking cessation and education about the harmfulness of tobacco saves lives and money.

Tobacco Prevention and Control Works:

It Saves Lives,

- Smoking kills more people than alcohol, murders, AIDS, car crashes, illegal drugs and suicides COMBINED. Each year 50,000 Americans die from exposure to secondhand smoke.

It Keeps Youth from Starting,

- We've reduced youth smoking from 1 in 4 youth to about 1 in 10 youth. (From 24.5 percent in 2000 to 11.3% percent in 2009)

It Saves Hawai'i Money.

- Every year, smoking costs Hawai'i over half a billion dollars in annual health care costs and lost productivity. Healthcare costs for nonsmokers are 40 percent lower than for smokers.

We Still Have Work to Do - More than 153,000 Hawai'i residents still smoke. They need help to quit. More than 1,000 children become daily smokers each year. Tobacco companies spend \$42 million dollars per year in Hawai'i marketing their deadly products. All that stands between tobacco marketing and youth is the counter-education efforts of Tobacco Prevention programs and messages.

Smoking is a major health issue – Smoking is a major cause of cancer, cardiovascular and respiratory disease. In Hawaii, it is estimated that 1,100 adults will die from their own smoking this year.

Most smokers want to quit – 87.3% of adult smokers plan to quit, according to a 2006 Adult Tobacco Survey of Hawaii smokers. In 2009, 58% of smokers tried quitting during the past year.

Cigarettes and other tobacco products are designed to be highly addictive – The nicotine in cigarettes is as addictive as heroin, cocaine, or alcohol according to research. The tobacco industry has used additives to cigarettes that enhance nicotine delivery and could increase addictiveness. According to the Hawaii State Department of Health, on average it takes 8 attempts for a smoker to quit.

Cutting Funding Is Likely to Increase Smoking Rates and Cost Lives - States such as California, Massachusetts, and Indiana that cut tobacco prevention program funding have seen a reversal in progress against smoking.

Smokers who quit save money in benefits and lost productivity – In 2006 Milliman, Inc. conducted an actuarial study, which found that each employee or dependent who quit smoking reduced annual medical and life insurance costs by at least \$210 each. Smokers cost Hawaii \$336 million in annual health care costs directly caused by smoking and \$320 million in lost productivity from smoking. A study by Penn State in April 2010 concluded that “for most smoking cessation treatments, the benefits of smoking cessation programs statewide outweigh the cost to implement them”.

My husband’s entire family smoked – my husband, both his parents, and his two sisters and brother, as well as most aunts, uncles, nieces and nephews. This legacy of smoking is not uncommon among families that smoke. Both my in-laws died from smoking. My father-in-law died of lung cancer and my mother-in-law died from emphysema. My husband died from cardiovascular disease caused by smoking at the age of 59 after smoking for more than 45 years. He wanted to quit smoking for many years, but tried and failed numerous times. It wasn’t until he used Chantix that he was able to successfully quit smoking 18 months before he died. But unfortunately the damage was already too far along. My husband’s aunt also died from cardiovascular disease as a lifelong smoker. Of my husband’s siblings, only his one sister has been able to successfully stop smoking. Of his six nieces and nephews, all smoked at one time or another. One nephew has quit on his own and one niece quit after getting breast cancer. The rest are still smoking.

Please oppose section 120 of this bill so that this deadly legacy of smoking among our families is finally stopped. I ask that you protect funding for tobacco control efforts. We can see the end to tobacco use in our lifetimes!

LATE

Andre Bisquera

2490 Makiki Heights Dr

Honolulu, HI 96822

808-222-8700

RE: Oppose SB120

As Co-Chair of Net Impact Hawaii, a registered independent organization (RIO) at the University of Hawaii at Manoa, we depend on funds from the Student Activities and Programs Fee Board (SAPFB) for events. We would be severely limited in our mission to promote socially responsible and environmentally sustainable business practices to our members. Please consider the needs of the students at UH, and vote no on SB120. Thank you.

Andre Bisquera

Co-Chair of Net Impact Hawaii

Class of 2012 MBA Candidate

LATE

Dear Legislators:

I am a faculty member in the English department at the University of Hawai'i at Mānoa. Given my position at the university and my commitment to providing high-quality, cutting-edge, and accessible higher education to Hawai'i's citizens, I am very concerned about the negative impact SB 120 will have on the operations of the UH system. Our campuses are already making do with too little, and the special funds and revolving funds this measure would affect are crucial to sustaining our operations.

I am even more concerned about the impact this bill would have on our already-overburdened social service infrastructure across the state.

Individual agencies know best how to allocate the funds for which they have been made responsible. They are close to the people they serve, and need to be able to make decisions based on an ever-changing set of situations. Arrogating these funds to the state would weaken their capacities to meet the needs of our fellow citizens, and would worsen an already dire economic climate, and contribute the demoralization that is eating away at Hawai'i's social fabric.

I urge you to vote against SB 120.

Sincerely,

John Zuern

LATE

Senator David Ige, Chair
Senator Michelle Kidani, Vice-chair
Committee on Ways and Means
February 8, 2011

To the Honorable Senator Ige,

Re: Opposition to SB 120, Relating to State Funds. Repeals certain special funds and transfers balances to the state general fund.

Chair Ige and members of the committee, my name is Amy Yates. I am an undergraduate student here at the University of Hawaii at Manoa. Thank you for the opportunity to testify on SB 120 Relating to State Funds.

I strongly oppose SB 120, which would redirect student activity fee monies from Campus Center Operations & Recreation Fee also known as the University Revenue-Undertakings Fund into financing our state's budget shortfall situation.

The reasons why this is bad legislation are:

1. Special and revolving funds were set-up for specific purposes, as in the case for University of Hawaii student activity funds which are derived to provide services, programs and facilities that will enhance the student's college education. The intention of such services to students is to help with student retention so that students can better engage their community with the goal of eventual graduation. It is documented research that students who engage in co-curricular activities will be better prepared as citizens and members of workforce. Taking from these funds will impact, diminish and/or eliminate these programs and services that are meant to support students.
2. The UH Campus Center Student Union which operates with special and revolving funds is self-sustaining. We have had to be planful and frugal in how we deliver services and programs as we address the demands of students. Funds that are saved are used to repair the facility and replace aging equipment. Transferring these funds will negatively impact how we can continue to be self-sustaining.
3. Our ability to offer students employment, job training and preparation will be greatly impacted. The loss of funds and reduced budgets will cost students their jobs. Many of our students take on campus jobs not only to improve their learning or to obtain work experience but they do so to help pay for their education. Many of our students need their jobs to make ends meet. Transferring these funds will reduce the number of student jobs available and will almost certainly reduce services and programs.

4. Any fund balances are used for future equipment and building repair and replacement. Given the age of the UH student union buildings (built in 1938 and 1974) of which we are responsible for, there will be greater deterioration of facilities and equipment if funds that have been allocated for maintenance/replacement projects are taken. The action of transferring balances to the general fund will prevent us from making the necessary repairs.

I have gone to the many events and participated in some of the extracurricular programs here at UHM and I have greatly enjoyed them. I am new to the campus, but these programs, activities and renovations are enriching my college experience. Without them I don't think that I would have the desire to continue to attend UHM. I also personally believe that when I paid my student fees that the monies I allocated to the school would be coming back to me, if this bill passes, the money that I contributed for my own sake would be stolen from me. When I pay taxes I expect the government to distribute my funds accordingly back to me in some way, just like when I pay student fees I expect that the university disburse monies paid in back to me. I do not believe that the state government has the right to take money from a public institution like UHM to cover for bad fiscal planning on the state's part. Government should be paying into universities and education, not taking monies out to help fill in deficits for the state. I paid money to the school so that I could have programs and activities and renovations here on campus, I did not ever intend for my money to be used by the state to fill in for a lack of funds for the state of Hawaii. I believe in a self-sufficient university in that monies raised for student life should be mostly raised by the students. What right does the state of Hawaii feel they have to this money paid by students? Just because this is a public institution of the government doesn't mean the government can come in and take money pooled and saved for students by students. The state of Hawaii has already cut spending to this campus in numerous ways, and I do not believe the state has a right to student's fees. If this bill passes it will be a travesty for the University and it will greatly affect all aspects of student life.

I urge the committee to be in opposition of SB 120. I strongly believe that SB 120 will be detrimental both in the short term and the long term.

Thank you.

Sincerely,

Amy Yates
2591 Dole St. #G107
Honolulu, HI 96822
ayates9@hawaii.edu

LATE

To whom it may concern,

I am writing to oppose Senate Act SB 120. I am a graduate student at the University of Hawai'i, Manoa seeking a PhD in Planetary Geosciences. I live in Honolulu and I voted in the most recent election. I believe that the removal of these special fund pools from the state budget – and the merging of the funds with the general fund – is very shortsighted and destructive to the welfare of the State of Hawai'i. These funds are important for the improvement of the quality of life for everyone. For example, special funds for victims of child abuse, domestic violence, sexual assault, and other crimes, are important because of their potential to help those in the community with the greatest need for assistance. It is especially disturbing that a disproportionate amount of the funds to be cut are for medical services (such as trauma care and emergency medical services) and education. As a member of the UH community, I oppose cuts to special funds for UH student activities, UH student tuition, and UH capital improvements. These funds are important for attracting new students, faculty, and outside funding to the University. The State directly benefits from a healthy university system with increased revenue. So, while there might be a short-term gain to the general fund by passing SB 120, revenue over the medium to long term will likely decrease. Therefore, I hope you will consider opposing SB 120 for the sake of Hawaii's economy, long-term financial stability, and the well-being of its residents.

Sincerely,

Patrick J. Gasda

To: Senator David Ige, Chair
Senator Michelle Kidani, Vice Chair
Senate Ways and Means Committee

Re: STRONG OPPOSITION to SB 120, Relating to State Funds
Hearing on Feb 10, 2011 at 9:00 a.m. in Room 211

Thank you for the opportunity to provide testimony on SB 120. I ask that you eliminate Section 120, which would eliminate funding for tobacco prevention and cessation efforts from the Tobacco Settlement Special Fund.

My name is Renee Schuetter, the Executive Director of The Path Clinic, which provides a comprehensive smoking cessation program for pregnant women and women with young children on Oahu.

Our community needs funding from the Tobacco Settlement Special Fund to keep kids from tobacco use and to help smokers quit. Eliminating the Tobacco Settlement Special Fund and HRS 328L-2 means that there will be no revenues dedicated for our crucial tobacco prevention and control efforts.

This is deeply alarming. Our efforts have already seen a severe reduction in funding for tobacco prevention and control. In 1999, the Tobacco Prevention and Control Trust Fund received 25% of the Tobacco Settlement Dollars. In 2001, the Trust Fund portion was cut down to 12.5%. And in 2009, it was cut again to 6.5%. We cannot afford to cut it down completely.

Without the Hawaii Tobacco Trust Fund grant, The Path Clinic could not provide this program, which successfully supports women in quitting and staying quit. Research demonstrates that the majority of pregnant women who quit smoking without services that facilitate the development of healthy ways of dealing with stress and anger, resume smoking after the birth of their babies. The Smoke Free program at Path is particularly valuable in its ability to facilitate women in developing parenting skills that decrease the stress they experience around parenting issues. A significant success story of the Smoke Free Program last year involved a young woman whose previous 3 pregnancies resulted in costly preterm births. She came to the clinic in great need of smoking cessation support that also included helping her to develop effective parenting skills. In December, she gave birth to her first full-term healthy baby. The Smoke Free services of The Path Clinic not only helped a young pregnant woman stop smoking; but also greatly enhanced the health of her infant son at birth and improved the quality of life of her 4 children.

Our programs work. We have seen strong reductions in youth smoking from almost 25% in 2000 to just above 11% in 2009. Our concern is that this progress will end if funds are further cut. All that stands between our youth starting to smoke and the tobacco industry is our tobacco prevention efforts. These efforts will be gone if funds are stopped.

I ask that you keep protect funding for tobacco prevention efforts.

Thank you for the opportunity to testify.

LATE

To Whom it may Concern,

I oppose SB 120.

As a graduate student at UH Manoa, I have been privileged to present my scientific research at a conference in Japan, directly as a result of funding made available to me by the Graduate Student Organization (GSO). I would not have been able to expose the work I did at UH, to an internationally competitive audience, if not for the contribution of this travel funding.

I have subsequently volunteered to serve on the GSO general assembly, to assist in offering my fellow students similar opportunities. I am thus directly exposed to the funding requests received and can testify that the funding is crucial for career development of graduate students at UH. The fact that it is our own money that we directly pay towards the GSO to offer us these opportunities makes it even more important that we retain **direct** access to it.

SB 120 will take direct GSO funding away from us, and in so doing probably rob us of the benefits it provides.

I am also an Alumnus of UH, and oppose contributions that I make to be incorporated into the general fund.

There are many other programs in the Bill that, I think (admittedly with limited technical information at my disposal) should retain their separate funds. It appears as if SB 120's ability to repeal all special and revolving funds for its listed programs, has the agenda of stripping some programs to fund others at the discretion of those not directly affected. This "blank check" to take money from x to pay for y and let x suffer, is irreprehensible. Isn't the "blank check" supposed to come from our taxes?

Mahalo for your time,
(Graduate Student in Department of Geology & Geophysics)

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Camille Mori
Organization: Individual
Address:
Phone: (808)895-2131
E-mail: moric2@hawaii.edu
Submitted on: 2/9/2011

Comments

I am a graduate student in the Department of Religion at the University of Hawai'i, and I also work as a teaching assistant in the department. This bill would take away the tuition waiver, and funding I receive for working as a teaching assistant. Without this funding I cannot afford to be a part of this program. As a graduate assistant I help Religion professors with their courses and I am also learning valuable skills that will help me towards my goal of being a professor myself. I ask that this bill does not pass, in doing so would severely decrease the credibility of University of Hawai'i. The passing of this bill would result in many promising scholars no longer having the means to pursue their passion. More importantly teaching assistants are necessary to aid professors in their valuable teaching. Thank you for your time.

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Jarett K.M. Lum
Organization: University of Hawaii at Hilo
Address: 521 W. Lanikaula St. Hilo
Phone: (808) 256-6790
E-mail: jarett@hawaii.edu
Submitted on: 2/9/2011

Comments:

I am a UH Hilo housing resident, student, and former Recording Secretary of the Windward Community College Student Senate.

**From: Jarett Lum, UH Hilo Student, Former Windward Community College
Student Senate Recording Secretary**

To: Hawaii State Senate Ways and Means Committee

Dear Honorable Committee Members,

I am write in opposition to SB 120 which proposes to eliminate student fees. As a former Recording Secretary of the Windward Community College Student Senate and current UH Hilo student, I feel that this bill will negatively affect all the University of Hawaii campuses. It proposes to divert all the money currently charged as student fees to the General Fund account. The student organizations that depend heavily on these funds would run on little money or cease to exist. Tell me, how does this positively affect student life on the campuses? Particularly at UH Manoa and UH Hilo were students live, go to school, and work on campus. All the resident life programs, student activity councils, Student Governments, and other student fee dependent programs will be at high risk of failing. You talk of education, its importance, its essentialness for our future generations, etc. Well, what do you call this? The right thing to do to help students? Supporting your future generation of educators or contributors to society? I know what I call it, none of the above. Rather, the wrong day to do, NOT supporting your future generation educators of contributors to society. Student need these fees in order to have a positive impact on student life on the UH campuses. They help to fund essential functions that enrich student life on the campuses such as, student government, student activity councils, publication boards, recreation, student life centers, etc. I suggest the committee and legislator look at other sources of revenue. Do not raid or eliminate student fees.

Mahalo nui loa,

Jarett Lum

UH Hilo Student and Resident and Former Windward Community College Student Senate
Recording Secretary

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Paul McKimmy
Organization: Individual
Address: Puuhonua St. Honolulu HI, US
Phone: 8089566266
E-mail: paul.mckimmy@gmail.com
Submitted on: 2/9/2011

Comments:
SB 120 would do EXTREME DAMAGE to UH Manoa

Opposition to SB 120

Removing UH Revolving and Special fund accounts **would decimate important academic programs** at UH Manoa. As Technology & Distance Programs Director for UHM College of Education, we have structured many innovative distance education programs around Special Fund accounts. These programs include:

- B.Ed. Elementary - Statewide
- PBCSE Secondary - Statewide/Online
- Post-Bacc Special Education - Statewide
- M.Ed. Educational Technology - Statewide
- M.Ed. Early Childhood - Statewide
- M.Ed. Curriculum Studies - various, includes Pacific-wide MACIMISE project
- M.Ed. Rehabilitation Counseling - Online
- Ed.D. Doctor of Education in Professional Educational Practice - new
- B.Ed. Elementary - American Samoa (TTAP)

Additionally, I have spent three years developing a service unit to assist UHM colleges with distance education development – the Distance Course Design and Consulting group (dcdgroup.org). We have generated online courses in critical areas such as Secondary Education, Engineering, and Hawaiian languages. **SB 120 would destroy this innovative service unit**, which is entirely self-funded and uses the mechanism of a revolving account to conduct operations

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211

Testifier position: oppose

Testifier will be present: No

Submitted by: Alyssa Peric

Organization: Individual

Address: 7101 Maka'a Street Honolulu, HI

Phone:

E-mail: aperic@hawaii.edu

Submitted on: 2/9/2011

Comments:

I oppose the proposed Bill SB 120. This bill will be detrimental to the student life and activities for students at the University of Hawai'i, Manoa. I do not support this bill as it will take away many opportunities and experiences from students.

LATE

RE: SB 120

I am testifying to the detriment of this bill to our community. While it seeks to temporarily balance the state budget, it takes away indefinitely many important functions of our state. I am a state licensed clinical social worker, and I am aware of the negative impact this will have in services to mentally ill people, marginally healthy but at-risk people, and people struggling with drug addiction and domestic violence issues. We need primary prevention efforts to reduce even further costs of tertiary care, which deals with the aftermath of dysfunctional situations. It is said that an ounce of prevention is worth a pound of cure, this is exactly my point. It is short-sighted to seek to save now, but end up paying more than we can afford in the future for social ills that could have been prevented.

On another separate note, I understand that in this senate bill, our university is also lumped together in this repeal of funds. I understand that some of their prized programs such as agriculture, (which stands to bring in millions of dollars every year to the state), are also being cut.

This is a double jeopardy situation which does not make sense:

- 1) Important social programs to the needy have the effect of saving our state lots of future monies.
- 2) Important agricultural programs are currently bringing in millions of dollars to our state's economy.

Considering the fact that these programs have such a strong impact on our state's wellbeing and economy both present and future, why are these important programs even being considered for having their funds repealed? They deserve as much funding as they can possibly get, and more. If there is a way to balance the state budget, this is not it. The impact of SB 120 will have negative repercussions for years to come both socially and economically, and future balancing of the budget will become even more difficult. I urge you to not pass this detrimental bill!

Thank you for your kind consideration.

Sincerely,

Michael Amore, LCSW
1309 Wilder Ave. #301
Honolulu, HI 96822
808-342-5981

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Ramona Kincaid
Organization: Individual
Address: 3-1901 Kaumualii Hwy Lihue, HI
Phone: 245-8336
E-mail: rkincaid@hawaii.edu
Submitted on: 2/9/2011

Comments:

Testimony Against SB 120

I have been a club advisor here at Kauai Community College for 17 years. I disagree with this bill because it would strip the student activity fund away from students. Student activity programs are a very important part of the student experience, they support retention, they provide opportunities for personal growth, they promote civic responsibilities, and prepare students for careers, to name a few benefits.

Over the years my students have been involved in many activities that couldn't have been accomplished without the support of the student activities fund. We have hosted speakers, cultural events, and conferences. We have traveled across the state to visit other colleges, to investigate our cultural heritage, and to participate in educational activities. We have provided services to our community such as Relay for Life, Food Bank drives, drives for victims of tragic events, beach clean-up, and educational workshops for high school students. We have initiated fundraising events for scholarships and to supplement our student activity fee allowance. We have also had many social events that bring students together and connect them with the college.

According to the Community College Survey on Student Engagement (CCSSE.org) one measurement of student engagement and thus, student success is participation in student activities. Studies support the fact that students who are active on campus are successful in their college career. In a commuter campus like KCC it is a struggle to keep students involved but this fund provides a way to create those connections. Keeping students in college and on track toward their career goals is a major emphasis of community colleges and our community.

I urge you to give serious consideration to our community needs and vote against this bill.

LATE

Re: SB120

Kati Corlew
2637 Kuilei St., A51
Honolulu, HI 96826
corlew@hawaii.edu

To Whom It May Concern,

I am writing to say that I strongly OPPOSE SB 120. As a current student and future professional in Hawai'i, I see that SB120 will have a negative impact on my current student life as well as my future professional life as a Community Psychologist. The many diverse services that will be interrupted due to the funding cuts proposed will cripple the lifeblood of the community by placing an unnecessary strain on many people giving and receiving services across many sectors. This Bill will be harmful to our community.

I strongly oppose SB120.

Mahalo for your time.

Kati Corlew

Testimony for WAM 2/10/2011 9:00:00 AM SB120

LATE

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Alyssa Gampong
Organization: Individual
Address:
Phone:
E-mail: agampong@hawaii.edu
Submitted on: 2/9/2011

Comments:

One thing that I would like verified is whether these funds would be taken annually or just this one time.

I'd also like to know if there's a way to perhaps compromise and meet in the middle? Maybe instead of taking all the funds we can minimize it to a small percentage?

February 9, 2011

Aloha,

My name is Alyssa Gampong and I am a student at UH West Oahu and the current President for the Associated Students of the University of Hawaii-West Oahu (ASUHWO). I am also writing as a member on behalf of the Humanities Club on campus. Although I understand that as citizens we have to make contributions to the state I feel that taking away these revolving funds is unfair to the students who pay their \$5 activity fee every semester. As we have presented to the Board of Regents on January 21, 2011, the funds that we have are spent primarily on providing fun, social, and educational events for the students of UH West Oahu, going to leadership conferences that help to build ourselves as student leaders, and helping to fund the many Registered Independent Student Organizations (RISO) clubs that we have on campus. Being that there are about 15 clubs on campus, they are the main source of student life and activity so it is very important to ASUHWO that we are able to help them financially as much as we can. Having a student life is a necessary supplement to a successful career as it helps to build relationships with others. Having these funds ensures us that we can make that possible for the students. And as a student myself, these events and activities is what builds the motivation that we all need in order to make it through each semester. With every gathering you meet more people and make the relationships with your peers, your professors, and even staff much more solid. They become the foundation that you can rely on for support while you work towards a professional career with the state. Without having the funds to bring the students together in an enjoyable and positive environment it could make their educational careers and therefore their careers in the work force much more difficult and perhaps even less appealing.

Furthermore, with our new campus opening up in just a year in Kapolei, the students of UH West Oahu are able to and are starting to build a lot more pride and spirit for our school. Though we are a small campus we believe that we can do big things. The funds that we have are an opportunity to make the most of this final year on our campus in Pearl City, and of the first year

on our new campus in Kapolei. Hopefully our celebration, pride, and spirit will attract prospective students in the surrounding community to go and get a college education as well.

Mahalo for your time,

Alyssa Gampong

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120
Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Jennica Megan Baldonado
Organization: Individual
Address: 1424 Kohou Street Honolulu, HI
Phone: 808-479-2534
E-mail: jmb@hawaii.edu
Submitted on: 2/9/2011

Comments:

Hi! I'm Jennica Baldonado, a student from the University of Hawaii, West O'ahu and the President for the newly establish student organization, the Filipino-American Student Association of Hawaii (FASAH).

After carefully reading what the actual SB-120 Bill, Relating to State Funds states, I felt such strong speculation against this bill. Among the other bills to also be passed, the SB-120 Bill is the shortest, written in just one sentence. But if you give this bill careful thought, the consequences that follow after this bill is passed will very much written on pages and pages filled with more than just once sentence. The bill states, "Repeals certain special funds and transfers balances to the state general fund."

"Special Funds" is the title name given to funds which are collected through Student Activity Fees. I'm not sure if you are aware, but for the University of Hawaii, West O'ahu, the Student Activity Fee is only \$5.00 and is only collected every semester. Our student population is only estimated to 1,400 persons. What the Student Activity Fees are for, and should only be for, is for the students of the University. Each and every student pays this \$5.00 out of their very own pocket and expects that they will see through activities that will benefit them, socially, educationally, culturally and as a community.

Transferring the balance to the state general fund will not only disappoint every student but if anything anger them because they paid the fees knowing where it will go. When I briefly mention this bill to some of my classmates, all of their reactions were out of frustration and confusion. Here are some comments and questions that were echoed throughout or campus today, "Why would they do that?". "Who gives them the right to do that with our money?" "We don't even pay a lot for Student Activity Fees and they want to go and take that too?" "What will the State General Fund do with our money?" "That's not their money or decision!".

With that said, please give it careful thought as to passing this bill. Our club has just started on this campus and the Associated Student of University of Hawaii, West O'ahu (ASUHWO) for a fact, always sets a side an amount collected from the Student Activity Fees just for the School Clubs and Organizations to access. What each organization will use the funds for is guaranteed to benefit the entire student body as a whole. If this bill is passed, our funds saved prior will be gone and each semester, all the student organizations will have to start from zero. Keeping the current funds will help us for the future.

Respectfully,

Jennica Baldonado

LATE

TESTIMONY AGAINST SB 120 (The Hawaii Heist Bill) 10FEB2011, 9am

Please hold this bill. Its intent is to dump the contents of numerous special funds into the general fund, with no scrutiny or adequate rationale. Much thought and legislative action collectively went into the setting up and authorization of these special funds, and numerous programs and actions are serving their intended functions as a result. Far too much essential activity is accomplished through this route to gut it like a fat hog. Even if a few of these funds may not be as effective or needed as when originally authorized, the wholesale approach of this bill is little more than a big bank heist and is shameful.

A more proper approach would be to have each authorizing department do its own review and report to the next session, when individual actions of adjustment could be submitted for those funds that are obsolete or duplicative.

In some situations, these funds accumulate matching and donated funds for the specific tasks that are identified in the funds. This bill would result in a net loss of money and a severe curtailment of important government function.

Again: stop the robbery before it happens—kill this bill.

Thank you for the opportunity to provide input.

Rick Warshauer

Volcano, Hawaii

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Zain Allison
Organization: Individual
Address: 3430 Hardesty St Honolulu, HI
Phone: 8062066506
E-mail: rallison@hawaii.edu
Submitted on: 2/9/2011

Comments:

Dear Hawai'i State Senate;

Although I believe UH is very under-funded and their programs are lacking, as a UH graduate I have to agree with Senate Bill 120. UH has shown it has absolutely no fiscal responsibility. UH spend insane amounts of money on athletic programs, moronic projects such as the campus center updates, and probably the absolute greatest waste of money is the Ka Le O newspaper. If this bill gets rid of the funding for the Ka Le O, I support it 100%.

Sincerely,

Zain Allison
rallison@hawaii.edu
(806) 206-6506

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Alister Tang
Organization: Individual
Address:
Phone:
E-mail: alister@hawaii.edu
Submitted on: 2/9/2011

Comments:

Senator David Ige, Chair
Senator Michelle Kidani, Vice-chair
Committee on Ways and Means
February 8, 2011

To the Honorable Senator Ige,

Re: Opposition to SB 120, Relating to State Funds. Repeals certain special funds and transfers balances to the state general fund.

Chair Ige and members of the committee, my name is ---. I am ---. Thank you for the opportunity to testify on SB 120 Relating to State Funds.

I strongly oppose SB 120, which would redirect student activity fee monies from the Campus Center Operations & Recreation Fee, and the Campus Center Programs Fee also known as the University Revenue-Undertakings Fund into financing our state's budget shortfall situation.

The reasons why this is bad legislation are:

1. Special and revolving funds were set-up for specific purposes, as in the case for University of Hawaii student activity funds which are derived to provide services, programs and facilities that will enhance the student's college education. The intention of such services to students is to help with student retention so that students can better engage their community with the goal of eventual graduation. It is documented research that students who engage in co-curricular activities will be better prepared as citizens and members of workforce. Taking from these funds will impact, diminish and/or eliminate these programs and services that are meant to support students.
2. The UH Campus Center Student Union which operates with special and revolving funds is self-sustaining. We have had to be planful and frugal in how we deliver services and programs

as we address the demands of students. Funds that are saved are used to repair the facility and replace aging equipment. Transferring these funds will negatively impact how we can continue to be self-sustaining.

3. Our ability to offer students employment, job training and preparation will be greatly impacted. The loss of funds and reduced budgets will cost students their jobs. Many of our students take on campus jobs not only to improve their learning or to obtain work experience but they do so to help pay for their education. Many of our students need their jobs to make ends meet. Transferring these funds will reduce the number of student jobs available and will almost certainly reduce services and programs.

4. Any fund balances are used for future equipment and building repair and replacement. Given the age of the UH student union buildings (built in 1938 and 1974) of which we are responsible for, there will be greater deterioration of facilities and equipment if funds that have been allocated for maintenance/replacement projects are taken. The action of transferring balances to the general fund will prevent us from making the necessary repairs.

I urge the committee to be in opposition of SB 120. I strongly believe that SB 120 will be detrimental both in the short term and the long term.

Thank you.

Sincerely,

Alister Tang
711 Hoawa ST, Honolulu HI,96826
alister@hawaii.edu

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211

Testifier position: oppose

Testifier will be present: No

Submitted by: James Kim

Organization: Campus Center Board

Address:

Phone:

E-mail: james23@hawaii.edu

Submitted on: 2/9/2011

Comments:

I stand firmly against the SB 120 being implemented. I believe that the budget is neccessary to sustain a functional recreation center as well as events from both Activity Council and Recreation Sports.

-James Kim

Campus Center Board Member

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Christopher Wong
Organization: Individual
Address: 1340 Molehu Dr. Honolulu
Phone: 8083936368
E-mail: ck9@hawaii.edu
Submitted on: 2/9/2011

Comments:

Aloha Senators and representatives,

My name is Christopher Wong and I am currently a student at the University of Hawaii at Hilo. Of all the programs that SB120 will affect, the ones that concern me the most are the measures that deal with conservation. I have worked as an intern in the conservation field for 3 summers now and have become familiar with the many issues plaguing the conservation field. Among them, funding is always one of the biggest.

Conservation experts have always had to deal with a less than perfect budget, everyone has these days. With the State's deficit, many programs have already been scaled back quite a bit. Cutting funding for these already reduced programs will put into question the future of Hawaii's unique natural resources. From the water that comes out of the faucet at home and at our offices to the pristine reefs and beaches that residents and tourists alike enjoy, the people of Hawaii depend greatly on the healthy forests. The various programs such as the Invasive Species Councils, Watershed Partnership groups and Natural Area Reserves program among others are prime examples of how the State's money can be used to effectively maintain the Health of Hawaii's ecosystem. Tourism, the main source of income for the state, relies on the ability of these programs to perform beyond the budget, and so far, things seem to be working. Many people that vacation in Hawaii admire the beauty of the forests and reefs and even ecotourism is on the rise in Hawaii. Without the healthy forests and healthy reefs that Hawaii is known for, tourism numbers will surely fall and everyone, the tourism industry and the families and economy that it supports, will lose.

That is why I ask you not to pass SB120. Please do not pass it with the idea that the programs will be reinitiated once funding becomes available. This typically does not happen with this government. For example, it was easy enough to delete that paper from 5 years ago; to try and rewrite it was another story. Things seem to be going along, not very smoothly but they are going so "If it ain't broke, don't fix it." Please reconsider passing this bill.

Mahalo,
Christopher Wong

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Mike Donoho
Organization: Individual
Address: 62-2039 Kawaihae Road Kamuela, HI
Phone: 808 937-6487
E-mail: kukuiplanning@gmail.com
Submitted on: 2/9/2011

Comments:

Thank you for the opportunity to provide testimony on this bill. Aloha

Aloha Senate Ways and means Committee:

On behalf of myself and my family, I strongly oppose SB 120 as a bill to repeal the Natural Areas Reserve Fund and the Forest Stewardship Program. These are two of the most important programs that we have to ensure that we will have quality natural resources for our children and all future generations. The NARS program on Hawaii Island is the most professional and competent government organization I have ever worked with, and this comes after 7 years of my own government service at the Federal and State levels in Hawaii. They understand the significance of their work, and that it is not for them but for those who follow us. To repeal this and the Forest Stewardship Program is a clear message to our children and all unborn generations that follow that we do not care what we leave to them, that we only care to try to address our own mistakes quickly by taking away their inheritance. I greatly fear that in the absence of these programs we will embark on a road that will end in the irreversible decline of our natural resources, particularly fresh water, that only our children will realize. I assume that whomever proposed this bill feels that we cannot afford these priceless programs any longer, but with any vision longer than a political term, we simply cannot afford not to have them.

I thank you for your service to our State and for your consideration of this testimony.

Mālama pono e aloha ☐āina ,

Michael L. Donoho
Kamuela, Hawaii

From: rebecca smith [rebecca_poipu@hotmail.com]
Sent: Wednesday, February 09, 2011 4:05 PM
To: WAM Testimony
Subject: SB 120 Tobacco Funds
Attachments: Tobacco Funds.doc

February 9, 2011

We need to continue funding tobacco prevention and quit-smoking programs to protect our children and families' health. Tobacco prevention is saving our next generation

Tobacco Prevention and Control Works:

It Saves Lives, Tobacco use is the chief preventable cause of illness and death in our society, responsible for more than 435,000 deaths in the United States. That's more deaths than alcohol, murders, AIDS, fires, homicide, car crashes, illegal drugs and suicides COMBINED. Each year 50,000 Americans die from exposure to secondhand smoke.

Keeps Youth from Starting, We've reduced youth smoking from 1 in 4 youth to about 1 in 10 youth.

(Middle School from 12.9% in 2000 to 4.2% in 2007)

(High School from 24.5 percent in 2000 to 11.3% percent in 2009)

In 2003 the tobacco education and prevention program was put in place on Kauai at Waimea High and Waimea Canyon Middle Schools it was a pilot project for our island. Both schools change there school policy to tobacco education and cessation services as an alternative to suspension. In the beginning of this project our smoking rate was higher then the mainland and our Carbon Monoxide readings would read as high as 52 that is equal to two packs of cigarettes a day. Now the highest Carbon Monoxide reading we'll get is 17 that is equal to 10 cigarettes a day. And every student we work with has move from pre-contemplation to thinking about quitting, setting quit date and/or quitting.

There have been so many students that we've helped stop smoking and even more that never started because of tobacco education, prevention and intervention. We've worked very hard in reducing our smoking rates in our schools and also with our families in our State of Hawaii. Please don't cut our very much-needed program that is killing our families.

Thank you,

Rebecca Smith

QuickTime™ and a
decompressor
are needed to see this picture.

February 9, 2011

We need to continue funding tobacco prevention and quit-smoking programs to protect our children and families' health. Tobacco prevention is saving our next generation

Tobacco Prevention and Control Works:

It Saves Lives, Tobacco use is the chief preventable cause of illness and death in our society, responsible for more than 435,000 deaths in the United States. That's more deaths than alcohol, murders, AIDS, fires, homicide, car crashes, illegal drugs and suicides COMBINED. Each year 50,000 Americans die from exposure to secondhand smoke.

Keeps Youth from Starting, We've reduced youth smoking from 1 in 4 youth to about 1 in 10 youth. (Middle School from 12.9% in 2000 to 4.2% in 2007)
(High School from 24.5 percent in 2000 to 11.3% percent in 2009)[1]

In 2003 the tobacco education and prevention program was put in place on Kauai at Waimea High and Waimea Canyon Middle Schools it was a pilot project for our island. Both schools change their school policy to tobacco education and cessation services as an alternative to suspension. In the beginning of this project our smoking rate was higher than the mainland and our Carbon Monoxide readings would read as high as 52 that is equal to two packs of cigarettes a day. Now the highest Carbon Monoxide reading we'll get is 17 that is equal to 10 cigarettes a day. And every student we work with has moved from pre-contemplation to thinking about quitting, setting quit date and/or quitting.

There have been so many students that we've helped stop smoking and even more that never started because of tobacco education, prevention and intervention. We've worked very hard in reducing our smoking rates in our schools and also with our families in our State of Hawaii. Please don't cut our very much needed program that is killing our families.

I'm the «GreetingLine», Tobacco Treatment Counselor for the Westside school complex. I have known Taharaa Stein for 17 years. She has taken care of my two youngest daughters from the time they were 1 and 2 years old, she has rented from me, and we have worked together professionally in the community.

When Tahara'a was attending college, she rented a room in my house and also provided child care for me throughout the years as my two youngest daughters were growing up. Once Tahara'a graduated college and began teaching, we resumed our relationship with various trainings and presentations that we both participated in.

As a young person, Tahara'a encouraged my daughters to participate in sports. She taught both my girls how to surf and she entered my youngest daughter in various running and surfing competitions. These experiences helped my daughters incorporate athletics and exercise into their daily routine. As my daughters grew up, Tahara'a encouraged both girls to attend college after graduating high school. As of today, both of my daughters attend college and Tahara'a continues to mentor and tutor them in their college classes.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 4:55 PM
To: WAM Testimony
Cc: risac@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Risa
Organization: Individual
Address:
Phone:
E-mail: risac@hawaii.edu
Submitted on: 2/10/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 5:04 PM
To: WAM Testimony
Cc: lfujita@queens.org
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Liane Fujita, MS, RN, APRN
Organization: Individual
Address: Honolulu, Hawaii
Phone: 808 537-7586
E-mail: lfujita@queens.org
Submitted on: 2/10/2011

Comments:

I am an advanced practice registered nurse who regularly contributes to the funding of the Hawaii State Center For Nursing (HSCFN) each time I renew my nurse license. A portion (\$20.00) of that fee goes into a special fund for the HSCFN. I am in total support of the HSCFN due to the significant initiatives the HSCFN does for the profession of nursing, and most importantly, for Hawaii's community (people) by addressing nurse-related issues such as the availability of nurses to care for patients, and its impact on the healthcare workforce. I am grateful to the Legislature for creating the HSCFN and am writing to advocate my support for the HSCFN to remain receiving special funds.

I object to removing funding for the HCFN from a special fund to the general fund. I am in strong opposition of this deletion. Please do not let this bill move forward.

Thank you for this opportunity to share my thoughts.

LATE

From: Dan Domizio [domizio@awshi.com]
Sent: Thursday, February 10, 2011 5:11 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Dan Domizio
12-4592 Pahoia Kalapana rd
Pahoia, HI 96778

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 5:21 PM
To: WAM Testimony
Cc: naipo808@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Uilani Naipo
Organization: Individual
Address: 17-291 Meaulu St Keaau, HI
Phone: 8085574034
E-mail: naipo808@hawaii.edu
Submitted on: 2/10/2011

Comments:
I support UHSA Resolution 10-001 in lieu of SB 120.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 5:22 PM
To: WAM Testimony
Cc: j.yep.lawrence@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: JASMINE YEP
Organization: Individual
Address: Honolulu, Hawaii
Phone:
E-mail: j.yep.lawrence@gmail.com
Submitted on: 2/10/2011

Comments:

I strongly OPPOSE Senate Bill 120, and encourage you to oppose the bill. While I understand the state's financial situation, shifting funding and eliminating line items from the already struggling limited budget at UH will hurt Hawaii more than it will help Hawaii. Students transfer from the UH community colleges to UH Manoa with the goals of high degrees. After commencement, they enrich our community here on the islands, and give back to our economy. The Student Activities and Programs Fee Board provides much needed funding to student organizations in all departments, reaching and serving nearly every single student, faculty and staff member of the UHM community. If SB 120 is passed and takes away this much needed funding, many of the programs simply will not be able to continue to offer the UHM community the plethora of educational opportunities throughout the year. Please reconsider SB120. I strongly encourage you to oppose this bill. Thank you for your consideration.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:01 PM
To: WAM Testimony
Cc: sstill@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Susanna Still
Organization: Individual
Address:
Phone:
E-mail: ssstill@hawaii.edu
Submitted on: 2/9/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:02 PM
To: WAM Testimony
Cc: bhiraoka@hamakua-health.org
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Beverly Hiraoka
Organization: Hamakua Health Center, Inc.
Address: 45-549 Plumeria Street Honokaa, HI 96727
Phone: 808-930-2712
E-mail: bhiraoka@hamakua-health.org
Submitted on: 2/9/2011

Comments:

I oppose Section 110 of Senate Bill 120 which repeals the community health center special fund. This is the only source of dedicated state funding for community health centers to provide care for the uninsured and the operations of community health centers. The state budget cannot be balanced by sacrificing the health of those who are the most vulnerable and needy in our communities.

More than ever, community health centers are the safety net, trying to shore up services in the face of both significantly increased community needs and widespread state program cuts. Some 2009 one-year increases:

46% increase in the number of patients whose primary diagnosis is mental illness.
33% increase in dental services for the indigent.
26% increase in Medicaid patients and 7% increase in homeless patients.
If community health centers aren't supported they can't be:

The mainstay of the Medicaid provider network.
The only place open to the uninsured patients besides the ER.
The safety net for people with mental illnesses.
The provider of dental care for Medicaid patients and the uninsured.
The source of care in rural areas without other health care providers.
Economic need for supporting community health center capacity:

If community health centers lose capacity, the indigent patients they should be caring for will increase inappropriate use of ERs, delay care and end up in the hospital, or possibly causing harm to themselves or others due to mental illnesses left unaddressed. Community health centers provide a extensive array of services that help patients with the socio-economic problems that exacerbate their illnesses. However, health centers use innovative and comprehensive care models that cost the health care system less money and improve health outcomes. A recent study showed that care provided by community health centers costs \$1,262 less per patient per year. Community health centers saved Hawaii's health care system \$160,000,000 in 2010.

LATE

From: Warren Daquin [warren@alohaconsultingservices.com]
Sent: Wednesday, February 09, 2011 3:57 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Warren Daquin
PO BOX 1508
PO Box 1508
Kealahou, HI 96750-1508

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:13 PM
To: WAM Testimony
Cc: paniku@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Season Paniku
Organization: Individual
Address: 376 King Avenue Hilo, HI
Phone: (808)640-1417
E-mail: paniku@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: Hazel Nakano [nakanoh005@hawaii.rr.com]
Sent: Wednesday, February 09, 2011 2:30 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Hazel Nakano
18-4369 Peck Road
P. O. Box 223
Mountain View, HI 96771

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:20 PM
To: WAM Testimony
Cc: dianatsu@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Diana Tsuchida
Organization: Individual
Address:
Phone:
E-mail: dianatsu@hawaii.edu
Submitted on: 2/9/2011

Comments:

As a graduate student at UH Manoa the funds that are proposed to be taken away would severely devastate the quality of the educational experience as we now know it. We are already drowning and making due with what resources are left, and if this passes there is very little left of a positive and productive educational environment within our university system. Please consider this opposition to the bill.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:20 PM
To: WAM Testimony
Cc: gasda@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Patrick Gasda
Organization: Individual
Address: 2343 Oahu Ave Honolulu, HI
Phone: 8089563452
E-mail: gasda@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: Michael M. Kliks, PhD [mmkliks@hawaii.rr.com]
Sent: Wednesday, February 09, 2011 4:25 PM
To: WAM Testimony
Subject: Fw: TESTIMONY IN OPPOSITION TO SB 120

----- Original Message -----

From: <kokee@okauai.com>
To: <SenDige@capitol.hawaii.gov>; <SenKouchi@capitol.hawaii.gov>
Cc: "Michael M. Kliks, PhD" <mmkliks@hawaii.rr.com>
Sent: Wednesday, February 09, 2011 2:33 PM
Subject: TESTIMONY IN OPPOSITION TO SB 120

TESTIMONY IN OPPOSITION TO SB 120
TO BE HEARD BEFORE THE SENATE WAYS AND MEANS COMMITTEE

On: Thursday, 02.10.2011
At: 9:00 A.M.
In: Room 211 at the State Capitol

To: Senator David Ige, Chair, and Members of the Senate Ways and Means Committee

From: Frank O. Hay, a Beekeeper on the Island of Kauai

Dear Senator Ige,

I strongly support local, diversified agriculture. I understand the importance of the Hawai'i Seal of Quality Program in promoting self-sufficiency and sustainability in our food production. I oppose Senate Bill 120, that, in its current state, would repeal the Seal of Quality Special Fund, under language found on Page 37, line 20-21; Page 38, line 1-21; and Page 39, line 1-2.

In my opinion, the Bill as written is detrimental to Hawaii's goals of achieving food self-sufficiency in the future. It is unfair to repeal this Special Fund, which is funded by Seal of Quality participants themselves, using income from the sales of Seal of Quality seals and impressions.

The revenues collected should benefit food producing members in the Seal Of Quality program and not be diverted back to the general fund. These types of user-funded private-public cooperative efforts should be encouraged by our Legislature.

Very truly yours,

Frank O. Hay
PO Box 9
Kekaha, Kauai, Hawaii 96752-0009

(808) 635-3226

LATE

From: Renee Schuetter [rschuetter@ucera.org]
Sent: Wednesday, February 09, 2011 4:26 PM
To: WAM Testimony
Subject: SB 120 Testimony Attached
Attachments: Testimony SB120.doc

--

Renee Schuetter, RN, M.Ed.
Executive Director
The Path Clinic
808-734-2034
808-734-2036 fax
www.pathclinic.org

"The mind determines what's possible. The heart surpasses it." Pilar Coolinta

This electronic message is intended only for the named recipient, and may contain information that is confidential or privileged. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this message is strictly prohibited. If you have received this message in error or are not the named recipient, please notify us immediately by contacting the sender at the electronic mail address noted above, and delete and destroy all copies of this message. Thank you.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:29 PM
To: WAM Testimony
Cc: gurary@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Alexandra Gurary
Organization: Individual
Address:
Phone:
E-mail: gurary@hawaii.edu
Submitted on: 2/9/2011

Comments:

As a graduate student at University of Hawaii, I am appalled to learn that such a bill is actually being proposed. One of the programs to be cut if this bill passes would be GSO funding that helps graduate students with their research and ability to attend conferences in their field. Without such funds, UH students will not be able to be competitive in their research and ability to present their research to the rest of the science community. PLEASE VOTE NO.

Sincerely,
Alexandra Gurary

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:35 PM
To: WAM Testimony
Cc: kmsands@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Kathleen Sands
Organization: Individual
Address: Dept of American Studies; 1890 East West Road Honolulu 96822
Phone: 808 956 9093
E-mail: kmsands@hawaii.edu
Submitted on: 2/9/2011

Comments:

Please, do not pass SB 120. Budget shortfalls should be fixed by raising taxes on the wealthy, not by cutting services for the most vulnerable.

Specifically, I am writing as Grad Chair of the American Studies Dept at UH and as a member of the UH community. Among many other bad things it would do, SB 120 will cut grants funds to our graduate student organization. The proposed cuts while SMALL in the sense of not redressing the budget problems, are LARGE in the damage they do to our grad students. These individuals already are going into a frightening level of debt to develop their careers. The amount of support they get from the university is disgracefully small (e.g., a few of them can get PARTIAL funding to an academic conference). To take even that away is unconscionable. Please don't do it.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:35 PM
To: WAM Testimony
Cc: smorol@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Sarah Smorol
Organization: Graduate Student Organization, UHM
Address: 2287 ala wai blvd apt 201 Honolulu, HI
Phone: 6198867106
E-mail: smorol@hawaii.edu
Submitted on: 2/9/2011

Comments:

Although I will be teaching at UH during this hearing I submit the following testimony: As a graduate student at UH Manoa and member of the UH Graduate Student Organization (GSO) I can testify to the difficulty for students to professionalize without attending national conferences, often at great expense, on the US continent or overseas. The funds that would be stripped from the UH GSO "Grants and Awards" pocket are one of the few reliable funding sources being readily accessed by students seeking high level professional positions, and the training required to become eligible applicants for these roles. Don't cap us below our capabilities by taking this important resource away!

LATE

From: Tony Larkin [TRL2124@gmail.com]
Sent: Wednesday, February 09, 2011 4:40 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Tony Larkin
1621 Anapuni St.
Honolulu, HI 96822

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:42 PM
To: WAM Testimony
Cc: wenyang@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Wen-Yang Tsai
Organization: Individual
Address: 1814 Poki Street Apt203 Honolulu, HI
Phone: 808-285-2774
E-mail: wenyang@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:43 PM
To: WAM Testimony
Cc: deon@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM
Attachments: Testimony.pdf

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Deon van Niekerk
Organization: Individual
Address: 2550 Myrtle street Honolulu, HI
Phone: 808 956 3789
E-mail: deon@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:43 PM
To: WAM Testimony
Cc: maria@coffeesofhawaii.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Maria Holmes
Organization: Coffees of Hawaii, LLC
Address: P.O. BOX 37 KUALAPUU
Phone: 808-567-9490
E-mail: maria@coffeesofhawaii.com
Submitted on: 2/9/2011

Comments:

We don't think it is fair to repeal this special fund as this is a user fund and collects money from all of the Seal of Quality participants, arising from the sales of seals and impressions. The revenues collected should benefit members in the program and not be diverted back to the general fund

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:45 PM
To: WAM Testimony
Cc: mukesh@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Mukesh Kumar
Organization: Individual
Address:
Phone:
E-mail: mukesh@hawaii.edu
Submitted on: 2/9/2011

Comments:

GSO funding really helps especially international students to attend various conferences which they otherwise can not attend due to lack of funding. Taking this money away will completely devoid the students to attend and present their work at various confernces.

LATE

From: djrx.cares@hawaii.rr.com
Sent: Wednesday, February 09, 2011 4:46 PM
To: WAM Testimony
Subject: Fight Cancer

As a volunteer with the American Cancer Society, I ask you - as Chair of the Senate Ways and Means Committee - to STOP Senate Bill 120.

If passed, SB120 would cut funding to two critically important funds in the state which provide significant money in our battle to decrease the impact cancer has on so many Hawaiians.

The Cancer Research Special Fund and the Hawaii Tobacco Settlement Special Fund provide money on two important fronts - research and prevention / cessation services.

A decrease in the Cancer Research Special Fund will dramatically increase our health care cost while placing an additional burden on cancer patients and their families who would be forced to go to the Mainland to participate in clinical trials, if any are available to them.

Additionally, any attempt to cut proven prevention and cessation programs through the Hawaii Tobacco Settlement Special Fund will lead to higher smoking rates.

These cuts would result in more cancers, and more Hawaiians losing their lives.

As a volunteer with the American Cancer Society, I ask you - as Chair of the Senate Ways and Means Committee - to STOP Senate Bill 120.

If passed, SB120 would cut funding to two critically important funds in the state which provide significant money in our battle to decrease the impact cancer has on so many Hawaiians.

The Cancer Research Special Fund and the Hawaii Tobacco Settlement Special Fund provide money on two important fronts - research and prevention / cessation services.

If we lose funding to either or both of these important programs, Hawaii could take a huge step backwards in a fight where we have been making tremendous strides.

LATE

From: LaVerne Bishop [lbishop@haleopio.org]
Sent: Wednesday, February 09, 2011 4:49 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

LaVerne Bishop
2959 Umi Street
na
Lihu'e, HI 96766

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 4:58 PM
To: WAM Testimony
Cc: lawd@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Lyssa Warren
Organization: UHH Student Activities Council
Address: 200 W Kawili Street Hilo, HI
Phone: 808-974-7518
E-mail: lawd@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:05 PM
To: WAM Testimony
Cc: afrausto@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Adriana Frausto
Organization: Individual
Address: 2585 Dole St. A111 Honolulu, HI 96822
Phone: 619.822.6014
E-mail: afrausto@hawaii.edu
Submitted on: 2/9/2011

Comments:

PLEASE, PLEASE, PLEASE consider NOT to pass this bill!!! Gutting UH, you GUT the future!
Education is a resource that should NOT be compromised!
Mahalo for your consideration to NOT pass this bill with possible detrimental repercussions.

Looking forward,
Adriana Frausto
UH Student At Large

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:13 PM
To: WAM Testimony
Cc: rancilio@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Julie Rancilio
Organization: Individual
Address: 1011 Prospect St., 709 Honolulu, HI
Phone: 808-537-5892
E-mail: rancilio@hawaii.edu
Submitted on: 2/9/2011

Comments:

Monetary grants for academic travel and other scholarly activities are crucial for those of us in Hawaii. Participation in events, meetings, doing research, etc. outside of Hawaii is crucial to success as an academic and given the cost to travel outside of Hawaii and the little money graduate students earn, scholarships, grants and other monies such as this are essential and should not be merged with the state's general funds. I strongly oppose this bill.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:18 PM
To: WAM Testimony
Cc: maleka@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Maleka Cook
Organization: Individual
Address: 298 Kuhilani St. Hilo, HI
Phone:
E-mail: maleka@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:23 PM
To: WAM Testimony
Cc: ffurutom@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Faye Furutomo
Organization: Individual
Address:
Phone:
E-mail: ffurutom@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:28 PM
To: WAM Testimony
Cc: jphoover@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: John Hoover
Organization: Individual
Address: 11-3803 8th Street Volcano, HI
Phone: 985 9906
E-mail: jphoover@gmail.com
Submitted on: 2/9/2011

Comments:

My comments are short: Cut 50% from the NAR fund if you must, but please leave the other 50% for the future.

Hawaii has been called "the extinction capital of the world"; The little that is left of our natural heritage hangs by the slenderest of threads.

Thank you.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:30 PM
To: WAM Testimony
Cc: hyunah.ahn@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Hyunah Ahn
Organization: University of Hawaii at Manoa
Address: 1710 Mikahala Way Honolulu, HI
Phone: 808 551 8079
E-mail: hyunah.ahn@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:30 PM
To: WAM Testimony
Cc: hyunah.ahn@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Hyunah Ahn
Organization: University of Hawaii at Manoa
Address: 1710 Mikahala Way Honolulu, HI
Phone: 808 551 8079
E-mail: hyunah.ahn@hawaii.edu
Submitted on: 2/9/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:36 PM
To: WAM Testimony
Cc: jkhedani@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Justin Hedani
Organization: Distance Course Design & Consulting (COE)
Address:
Phone: 8083490746
E-mail: jkhedani@hawaii.edu
Submitted on: 2/9/2011

Comments:

To our legislation,

As a team member of the Distance Course Design & Consulting group, otherwise known as DCDC affiliated with the College Of Education, and as a KTUH (College Radio Station) staff member, I urge your decision in opposing SB120. I assure you that the funds supporting both organizations not only better our community but they aid in the innovation of change within our fragile education system and support local organizations/business.

As a previous Ka Leo editor I feel strongly about the opposition of this bill in that it has been a lifeline in getting me through college and aiding in my growth as an adult. Without the support these organizations need, not to mention the overwhelming amount of volunteerism already put in, I highly doubt they will last very long and will not be able to give future generations the opportunity and growth I have received.

I am an Eagle Scout and a recipient of the Carol Burnett Award for Ethical Journalism and I ask you to please reconsider the passing of SB120.

Aloha,
Justin Hedani

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:38 PM
To: WAM Testimony
Cc: masado@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Michael A. Sado
Organization: Individual
Address: 31 A Piliialoha St. Hilo, HI
Phone: 808-854-3136
E-mail: masado@hawaii.edu
Submitted on: 2/9/2011

Comments:

This is an absolutely terrible idea! If this short sighted money grab passes it would do irreparable damage to our state.

LATE

From: Richard Dubanoski [dickd@hawaii.edu]
Sent: Wednesday, February 09, 2011 5:40 PM
To: WAM Testimony
Subject: SB 120

To: Senator David Ige, Chair
Senate Ways and Means Committee

From: Richard Dubanoski, Dean
College of Social Sciences

Subject: SB 120

Dear Senator Ige,

I am opposed to SB 120 that will repeal all University of Hawaii special and revolving funds and transfer the balances to the State general fund. As a nationally recognized top research university, we need the opportunity to generate funds and the flexibility to allocate them for a variety of purposes. This bill will, in essence, be a disincentive to faculty seeking extramural funding and hamper the effective and efficient use of these funds. I respectfully ask that you vote against SB 120. Thank you for your consideration.

On another matter, I want to thank you for serving as our Legislator in Residence during the Fall 2011 semester. I hope that you found the experience rewarding and enjoyable.

From my observation and the comments from the audience, yesterday's dialogue on health policy was a great success. Thank you very much for organizing and serving as chair. I appreciated the time and thought that you put into the meeting.

Richard Dubanoski, Dean
College of Social Sciences
University of Hawaii at Manoa
2500 Campus Road, Hawaii Hall 310
Honolulu, Hawaii 96822
Phone: (808) 956-6570
Fax: (808) 956-2340
Email: dickd@hawaii.edu

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:50 PM
To: WAM Testimony
Cc: andrea@lhwrp.org
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Andrea Buckman
Organization: Leeward Haleakala Watershed Restoration Partnership
Address: 3620 Baldwin Ave., Suite 206B Makawao, HI
Phone: 808 573 8989
E-mail: andrea@lhwrp.org
Submitted on: 2/9/2011

Comments:

I oppose SB 120. The NAR fund is integral to the watershed forest restoration, invasive species control, and public outreach efforts that the Leeward Haleakala Watershed Forest Restoration Partnership conducts. This fund ensures collaboration between government agencies, private landowners, and the public and enables greater efforts to be achieved with fewer resources because of the cost-sharing and matching funds that are able to be produced through this type of collaboration. I believe it is a worthwhile return on investment for the State. Our economy depends on our natural resources, and protecting these resources should remain a high priority. I oppose SB 120. Mahalo, Andrea Buckman, LHWRP Project Coordinator

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:50 PM
To: WAM Testimony
Cc: bryantm@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: bryant
Organization: Individual
Address:
Phone: 8085421033
E-mail: bryantm@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:53 PM
To: WAM Testimony
Cc: abuckman22@hotmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Andrea Buckman
Organization: Individual
Address: PO Box 1643 Makawao, HI
Phone: 808 281 6839
E-mail: abuckman22@hotmail.com
Submitted on: 2/9/2011

Comments:

I oppose SB 120. Protecting our natural resources should be a top priority of the State, and cutting the NAR fund is unacceptable. Our economy, quality of life, agriculture, and health depend on protecting our natural resources, which are among the most precious and imperiled in the world. These resources are worth protecting. I know difficult decisions must be made, but our natural resources management programs have suffered enough. Please do not pass SB 120. Mahalo, Andrea Buckman

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:54 PM
To: WAM Testimony
Cc: jcosare@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: James Cosare
Organization: Individual
Address:
Phone:
E-mail: jcosare@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:57 PM
To: WAM Testimony
Cc: jfagafa@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Janice Fagafa
Organization: Individual
Address: P.O. Box 535 Pahoia, Hawaii
Phone: (808) 965-1442
E-mail: jfagafa@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 5:58 PM
To: WAM Testimony
Cc: thomas@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Thomas W Giambelluca
Organization: Individual
Address:
Phone: 8082301408
E-mail: thomas@hawaii.edu
Submitted on: 2/9/2011

Comments:

Bill S.B. No. 120 will have a devastating impact on a wide range of vital programs and services in Hawai'i. I urge the sponsors to withdraw this bill from consideration and to engage in an in-depth discussion with community members who would be affected by these proposed changes. Certainly there are better ways to achieve the intended goals than to discard the long-term benefits of these many highly valuable programs for short-term gain.

Sincerely,

Thomas Giambelluca
Professor
University of Hawai'i at Manoa

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 6:04 PM
To: WAM Testimony
Cc: Vernadette24@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Vernadette Gonzalez
Organization: Individual
Address: 3029 Lowrey Ave #H3216 Honolulu HI
Phone: 389-1720
E-mail: Vernadette24@gmail.com
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 6:13 PM
To: WAM Testimony
Cc: rmills8189@aol.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Richard L. Mills
Organization: Individual
Address: 2535 McCarthy Mall Honolulu, HI
Phone: 956-5258
E-mail: rmills8189@aol.com
Submitted on: 2/9/2011

Comments:

I am a professor at the University of Hawaii, Manoa Campus and opposed SB120. UH special and revolving funds are instrumental to the ongoing success of the University fulfilling its goals of higher education . This bill will decimate the UH and it should not be passed.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 6:25 PM
To: WAM Testimony
Cc: midgecns@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Mildred Blandamer, APRN-Rx
Organization: Individual
Address: 94-401 Hokualea St Mililani, HI
Phone: 808-772-4873
E-mail: midgecns@gmail.com
Submitted on: 2/9/2011

Comments:

Please permit the Center for Nursing to continue funding through a fee attached to Nurse Licensure and not through the general fund.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 6:30 PM
To: WAM Testimony
Cc: newmanm@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Michele Newman
Organization: Individual
Address: PO Box 11403 Hilo, HI
Phone: 808-990-0191
E-mail: newmanm@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 6:51 PM
To: WAM Testimony
Cc: cafu@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Charlene Afu
Organization: Individual
Address: 1570 Bertram Street Honolulu, HI 96799
Phone:
E-mail: cafu@hawaii.edu
Submitted on: 2/9/2011

Comments:

As a current student at UHH, I am completely devastated by the many useful programs involving UHH, that will be affected if this bill pass. The critical needs that are been covered under special funds helps many especially students who are sacrificing their time and energy for a good college education and may I say - GOOD QUALITY EDUCATION. I respectfully urge the leaders of our state to reconsider your decision and please do not vote to pass SB120 for the sake of our future leaders (students).

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 6:56 PM
To: WAM Testimony
Cc: bdayton@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Brittany Dayton
Organization: Board of Student Publications
Address: 90 South Wilder Road Hilo, HI
Phone: (808) 895-7566
E-mail: bdayton@hawaii.edu
Submitted on: 2/9/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 6:59 PM
To: WAM Testimony
Cc: kmwells@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Karyn M. Wells
Organization: Individual
Address:
Phone:
E-mail: kmwells@hawaii.edu
Submitted on: 2/9/2011

Comments:

To Whom It May Concern:

As a graduate student lecturer, I have already sacrificed 5% (over two years) of my limited pay to help the State with its current economic shortfalls along side taxes. I pay tuition and student fees to benefit the university system and facilitate the completion of my education.

I have paid enough, hands off our educational funds.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 7:21 PM
To: WAM Testimony
Cc: ballmer@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Maxim Ballmer
Organization: Individual
Address: 1560 Thurston Ave. Honolulu HI
Phone: 8087223279
E-mail: ballmer@hawaii.edu
Submitted on: 2/9/2011

Comments:

travel/research grants from the Graduate Student Organization is an important supplement to funding grads. Many students, including some of my collaborators are dependent on these funds. Cutting down GSO grants will prohibit these students in the future to attend important international meetings such as the American Geophysical Union Fall Meetings 2011-20XX. This will impose important limit to the communication of achievements of the (geo)scientific community at Hawaii to the national international community.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 7:24 PM
To: WAM Testimony
Cc: silke7@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Silke Ballmer
Organization: Individual
Address: 1560 Thurston Ave. #805 Honolulu HI 96822
Phone: 8083439021
E-mail: silke7@hawaii.edu
Submitted on: 2/9/2011

Comments:

travel/research grants from the Graduate Student Organization (GSO) is an important supplement to funding grads. Many students, including myself, are dependent on these funds. Cutting down GSO grants will prohibit these students in the future to attend important international meetings such as the American Geophysical Union Fall Meetings 2011-20XX. This will impose important limit to the communication of achievements of the (geo)scientific community at Hawaii to the national international communities.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 7:51 PM
To: WAM Testimony
Cc: elberry@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Elizabeth L Berry
Organization: Individual
Address: Moomuku Place Honolulu Hi
Phone: 343-3557
E-mail: elberry@hawaii.edu
Submitted on: 2/9/2011

Comments:

Why does the state legislature consistently feel the need to steal/take money from education to fund the state???? All you are doing is further destroying the future of islands and our children. Tax soda tax property do something else but quit taking funding from education and systems in place to better or community. Why don't you cut your salary or turn off your air conditioner? Do something reasonable and cut costs in a positive way not measures that destruct the fabric that weaves our community. Mahalo!

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 8:03 PM
To: WAM Testimony
Cc: slitschauer@hotmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Steve Litschauer
Organization: Individual
Address:
Phone:
E-mail: slitschauer@hotmail.com
Submitted on: 2/9/2011

Comments:

Redirecting U.H. funds for the GSO directly effects my opportunity for grant and award money. A reduction in money for higher education will result in Hawaii losing future competitiveness in global markets.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 8:14 PM
To: WAM Testimony
Cc: avernon@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Amanda Vernon
Organization: Individual
Address:
Phone:
E-mail: avernon@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 8:23 PM
To: WAM Testimony
Cc: fabia@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Charissa Fabia
Organization: Individual
Address: 2013 Kaumualii Street Honolulu, HI
Phone: (808) 847-3775
E-mail: fabia@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 8:37 PM
To: WAM Testimony
Cc: karleanne@paranphotography.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Karleanne Matthews
Organization: Individual
Address:
Phone:
E-mail: karleanne@paranphotography.com
Submitted on: 2/9/2011

Comments:

As a student of UH and member of several organizations which benefit from these funds, I must protest. I strongly oppose SB 120, as it would prevent students from getting the experience that gives us an edge when we move to the professional world. I understand that the state is in need, but the success of UH students is vital to the improvement of the state's economy in the long run.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 8:45 PM
To: WAM Testimony
Cc: belvined@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Elizabeth Belvin
Organization: Individual
Address: 369 Hoboron Lane Honolulu, HI
Phone: 5053405452
E-mail: belvined@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 8:46 PM
To: WAM Testimony
Cc: mbs420@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Mitchell Sambrano
Organization: Individual
Address:
Phone:
E-mail: mbs420@hawaii.edu
Submitted on: 2/9/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 9:07 PM
To: WAM Testimony
Cc: npuniwai@yahoo.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Noelani Puniwai
Organization: Individual
Address:
Phone: 808-315-8400
E-mail: npuniwai@yahoo.com
Submitted on: 2/9/2011

Comments:

Our islands cannot exist without our forests. Forests will shelter us from the effects of climate change. But they cannot do this without our vigilant focus on keeping out invasive species. This takes a lot of effort but is easily worth the bang. Prevention is WAY cheaper than Response.

There is no way to say you are proud of your island while eliminating the programs that keep our islands alive. Please support our forests and supply funding to these vital programs.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 9:11 PM
To: WAM Testimony
Cc: johncons@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: John D. Constantino
Organization: Kauai Community College
Address: 3-1901 Kaumualii Hwy. Lihue, HI
Phone: (808) 651-4151
E-mail: johncons@hawaii.edu
Submitted on: 2/9/2011

Comments:

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 9:20 PM
To: WAM Testimony
Cc: shaglund@hotmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Sue Haglund
Organization: Individual
Address:
Phone:
E-mail: shaglund@hotmail.com
Submitted on: 2/9/2011

Comments:

I stand in STRONG OPPOSITION to SB 120. This legislative measure does a disservice to our higher educational system. Our University of Hawaii System has already taken enough cuts and continue to make mandatory cuts to meet the state budget. By eliminating our special funds and the special funds of other state programs reduces the quality of our state's education and services to the residents of the State of Hawaii.

I am a doctoral candidate at the University of Hawaii at Manoa. I have seen firsthand in the depletion of our programs from the already mandatory state furloughs and budget cuts the UH system campuswide had to do. I make less than \$12,000 per year on my salary from the two jobs I have plus writing my dissertation. I PAY my own tuition EVERY SEMESTER to INVEST in the QUALITY OF HIGHER EDUCATION and NOT for the senate legislature to raid UH TUITION AND FEES just to cover for the previous administration's bad investments and shortfalls.

Want to replenish the general funds? Well go raid the funds of the Department of Public Safety, and re-invest in education and social services programs that benefits ALL of the residents of Hawaii.

Think in the long term, the state needs to create revenue and better jobs and that is only accomplished through the quality of our education of public schools and Higher Education of our public university.

I highly urge Ways and Means Committee to Not Pass SB 120.

L A T E

From: Nancy Keonaonaokaniela Foster [fostersn@hawaii.rr.com]
Sent: Wednesday, February 09, 2011 9:24 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Nancy Keonaonaokaniela Foster
47-114 Kaimalolo Pl
Kaneohe, HI 96744

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 9:40 PM
To: WAM Testimony
Cc: wailua@aya.yale.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Wailua Brandman APRN-Rx BC
Organization: Individual
Address: 615 Piikoi Street, Suite 1509 Honolulu, HI 96814
Phone: 808-255-4442
E-mail: wailua@aya.yale.edu
Submitted on: 2/9/2011

Comments:

Chair Ige and Vice Chair Kidani, Members of the Senate Ways and Means Committee

I am a registered nurse. I currently contribute to the funding of the Hawai`i Center For Nursing (HSCFN) every time I renew my nurses license because a portion of that fee goes into a special fund for the HSCFN. I do this gladly and with great appreciation to the Legislature for creating the HSCFN and for the excellent work product HSFCN has created in the past 3 years. I do NOT want my support diverted from the HSFCN. There is much work for the Center to do in the coming decade simply to MAINTAIN the health of our citizens, not to mention their efforts to improve it.

I object to the deletion of the language found on page 6, line 12, moving funding for the Hawai`i Center For Nursing from a special fund to the general fund. I strongly oppose this deletion. Please do not let this bill move forward with the stated language omitted from 36-27 HRS, as written in Section 3 of this bill.

Thank you for the opportunity to testify on this bill.

Wailua Brandman APRN-Rx BC, Immediate Past President Hawai`i Association of Professional Nurses Clinical Director Ke`ena Mauiola Nele Paia LLC

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 10:24 PM
To: WAM Testimony
Cc: panjoan@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Joan Pan
Organization: Individual
Address: 4348 Waialae Ave. #220 Honolulu, HI
Phone:
E-mail: panjoan@gmail.com
Submitted on: 2/9/2011

Comments:

I oppose Section 110 of Senate Bill 120 which repeals the community health center special fund. This is the only source of dedicated state funding for community health centers to provide care for the uninsured and the operations of community health centers. The state budget cannot be balanced by sacrificing the health of those who are the most vulnerable and needy in our communities.

More than ever, community health centers are the safety net, trying to shore up services in the face of both significantly increased community needs and widespread state program cuts. Some 2009 one-year increases:

- * 46% increase in the number of patients whose primary diagnosis is mental illness.
- * 33% increase in dental services for the indigent.
- * 26% increase in Medicaid patients and 7% increase in homeless patients.

If community health centers aren't supported they can't be:

- * The mainstay of the Medicaid provider network.
- * The only place open to the uninsured patients besides the ER.
- * The safety net for people with mental illnesses.
- * The provider of dental care for Medicaid patients and the uninsured.
- * The source of care in rural areas without other health care providers.

Economic need for supporting community health center capacity:

- * If community health centers lose capacity, the indigent patients they should be caring for will increase inappropriate use of ERs, delay care and end up in the hospital, or possibly causing harm to themselves or others due to mental illnesses left unaddressed.
- * Community health centers provide a extensive array of services that help patients with the socio-economic problems that exacerbate their illnesses. However, health centers use innovative and comprehensive care models that cost the health care system less money and improve health outcomes. A recent study showed that care provided by community health centers costs \$1,262 less per patient per year. Community health centers saved Hawaii's health care system \$160,000,000 in 2010.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 10:25 PM
To: WAM Testimony
Cc: ebkwang@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM
Attachments: SB 120 Testimony.pdf

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Erica Wang
Organization: Individual
Address:
Phone:
E-mail: ebkwang@hawaii.edu
Submitted on: 2/9/2011

Comments:

9 February 2011

Testimony on Senate Bill 120

Dear Committee on Ways and Means,

The Senate Bill 120 seeks to repeal all UH special and revolving funds and transfer their balances to the state general fund. I am **strongly opposed** to the Senate Bill 120 because of its' repercussions on student life and education at the University of Hawaii at Manoa.

One function that the generated money in the special funds serves is providing scholarships for students. Other than the state-wide scholarships, UH Manoa's student government, the Associated Students of UH (ASUH), also offers both merit and financial need based scholarships to undergraduates deserving of academic recognition and/or in need of financial support as well as financial awards to students preparing for entrance exams to graduate-level programs. These scholarships are granted to students who would otherwise be unable to afford higher education, especially at the university level. Therefore, repealing these funds would eliminate the scholarships and consequently eliminate the students' access to education. I am one of those students that attend this research undergraduate institution by the generosity of the community and of the university. Without these scholarships, I would need to financially support my education by obtaining a full-time job that would surely detract from my studies.

Secondly, the bill also seeks to eliminate funds that are generated for and by chartered student organizations and registered independent organizations. These organizations provide students extra-curricular activities and programs to participate in beyond what is offered in the academic curriculum. Repealing such funds would be detrimental to the functioning of the organizations. Personally, I have been involved in many extra-curricular activities and clubs on campus and in the community, such as ASUH, the Pre-Medical Association, etc. Therefore, I can attest that being involved in student activities and clubs is an essential component of education that takes learning beyond the classroom. Being involved fosters leadership skills, interpersonal skills, and communications skills that cannot be taught in a didactic lecture.

Lastly, the bill would repeal funds that provide crucial resources, such as libraries, that support active learning at UH Manoa. These funds support student learning and research. Other funds, such as the student health center, operate to provide services or to defray costs of such necessary services.

Eliminating all UH-related special and revolving funds would have a dire consequence on its students, who are the future of Hawaii. We would not be able to actively participate in student activities/programs or receive financial assistance, both of which would hinder and decrease the value of our educational experience here at UH Manoa.

Thank you for your time,

Erica W.

L A T E

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 10:26 PM
To: WAM Testimony
Cc: assafez@yahoo.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position:
Testifier will be present: No
Submitted by: Assaf Azouri
Organization: Individual
Address:
Phone:
E-mail: assafez@yahoo.com
Submitted on: 2/9/2011

Comments:

Hi,
I have been an OISC volunteer for the past 3 years. The daily work OISC is doing for the Hawaiian community is much more important than what most people imagine. Due to the isolation of the Hawaiian islands and the vulnerability of its fauna and flora, the impact that invasive species have in Hawaii is devastating, resulting in one of the fastest extinction rates of fauna and flora in the world. Many of the invasive species plants have already been naturalized in Hawaii, and it is almost impossible to eradicate them these days. However, there are still many plants that are displacing the native and endemic ones, and OISC has been able to either control their propagation, or eradicate them. Protecting Hawaii's native and endemic plants is one of the most important things the state should support, since when these are gone, the whole balance of Hawaii's forests will be lost.
I would therefore like to express my support to keep providing the special funds to OISC.
Mahalo,
Assaf Azouri

L A T E

**TESTIMONY PRESENTED TO
SENATE COMMITTEE ON WAYS AND MEANS**

February 10, 2011 at 9:00 am

By
Hengyao Han [Peter]

TESTIMONY SENATE BILL NO. 120 – RELATING TO STATE FUNDS; REPEAL

Chair Ige, Vice Chair Kidani and members of the Senate Committee on Ways and Means:

Thank you for this opportunity to provide testimony opposing Senate Bill (SB) 120 Relating to State Funds, which repeals certain special funds and transfers balances to the state general fund.

TESTIMONY:

I have benefited a lot more leadership skills through my involvement in the ASUH-WCC. Everyone is really nice and they would spend time to teach me everything if I don't know how to do them.

From my experience, I have learned that a well planned event can not be perfected if there is only one leader there doing everything, even if the leader is the best leader you could ever find. Well planned events come from good leadership, and also group spirit. If everyone do something, problems are easier to solve, and the event will be much less stress for everyone.

If we have a loss of those experiences, the students will be affected badly since their leader are not doing anything, why should they participate? It will eventually go into a dead zone.

The transferable real world skills that I've gained: communication, conflict resolution, teamwork, deadlines, responsibility to constituents, understanding of the university organization system, responsibility, follow through, program planning, development of community, contributing to the campus and Kaneohe community, provide a student voice and perspective.

Thank you for giving me this opportunity to provide testimony on Senate Bill 120.

Hengyao Han [Peter]

2/8, 2011

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 10:39 PM
To: WAM Testimony
Cc: bsager42@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Bill Sager
Organization: Individual
Address: 44-211 Mikiola Dr Kaneohe, HI
Phone: 808-375-1114
E-mail: bsager42@gmail.com
Submitted on: 2/9/2011

Comments:

SB120 is huge and has many aspects, but basically it wants to repeal certain special funds and transfer balances to the state general fund.

In its wisdom, the State Legislature recognized that certain long range activities such as invasive species control, irrigation water projects, State Park maintenance, Natural protection and management and many others programs need a core base of funding.

A good example is the work of the Invasive Species Committee on each island. They are the emergency response team that controls incipient infestations of potentially catastrophic critters: harmful insects like the coffee weevil recently introduced in Kona, nuisances like the coqui, the little frog with a loud voice that keeps locals and tourists alike awake at night and miconia, the invasive tree that can destroy our watersheds if not controlled.

In the instance of Miconia, The adult trees have been eliminated, but follow up will be required for years to control the keikis. It takes 3 years for Miconia seedling to start producing seed. If those seedlings are not removed before they seed a decade of work is wasted. This scenario plays out over and over for many different projects.

We urge you to not use a broad brush, but look carefully at the purpose and value of each of the special funds you are proposing to eliminate. Will the projects eliminated by these cuts result in wasting decades of effort and hundreds of thousands of dollars already expended? Will termination of a special fund make it impossible for technologies which are just reaching fruition to get the capital funding they need to implement innovative technologies? Will cutting programs put more families in tents exacerbating our serious homeless problem?

Please look at the value of projects funded by special funds. Evaluate what will be lost if a project is terminated. Understand the impacts on fledgling industries with the potential to make Hawaii the world leader in alternate energy, aquaculture, mariculture and software development. Recognize that when state support is removed from a project the economic uncertainty caused by that action makes securing venture capital more difficult and in many cases impossible.

Yes, close special funds if after careful consideration you decide their mission is no longer valuable, but do not destroy years of effort and allow the devastation that will result from

terminating programs that protect which are necessary to protect our islands and our people and don't cut the foundation from under promising technology that has the potential to make Hawaii the world leader in new technologies.

SB120 will effectively shut down many DOFAW programs and make it impossible for the state to match Federal funds. Gov Abercrombie has stated that he wants to aggressively go after matching federal funding. Many of these special fund projects were set up so that matching funds would be available to fund matching grants.

SB120 goes way too far. It would eliminate most of the special funds that support the state's environmental programs, like the Natural Area Reserve fund (funding all of the state's conservation work), the Energy Security special fund (funding the state's renewable energy efforts) and the Food Security fund (money from the barrel tax designed to encourage local food production)

A short list of important special funds that would be cut include:

- * Hawaii historic preservation special fund,
- * Aquaculture development special fund,
- * Agricultural park special fund,
- * Irrigation water development special fund,
- * Beach restoration special fund,
- * State parks special fund,
- * Natural area reserve fund,
- * Forest stewardship fund,
- * Energy security special fund,
- * Public utilities commission special fund,
- * Energy systems development special fund,
- * Sanitation and environmental health special fund,
- * Clean air special fund

In particular, the State's Natural Area Reserve Fund, which is the funding stream that provides monies to numerous Division of Forestry & Wildlife Programs & operations such as: Forest Stewardship, Natural Area Reserves, Conservation Reserve Enhancement Program, Watershed Partnerships, Youth Conservation Corps, Invasive Species Committees and many more. This would certainly impact Federal programs such as Forest Legacy, Urban & Community Forestry, Forest Health, Invasive Plant Management, and numerous Department of Interior Fish & Wildlife programs.

In summary, special funds were set up to fund programs that must have a stable source of funding in order to be a variable program. Do not kill programs that are vital to the future of Hawaii. Do not waste years of effort by canceling programs prematurely. Support technology that is import to the future of our state.

Testimony for WAM 2/10/2011 9:00:00 AM SB120

L A T E

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: J. Chesley
Organization: Individual
Address: 2938-A Laukoa Place Honolulu, HI
Phone: 808-599-8865
E-mail: chesley.burruss@gmail.com
Submitted on: 2/9/2011

Comments:

My name is J. Chesley Burruss and I am a graduate student in American Studies at the University of Hawai'i at Mānoa. I am strongly opposed to SB 120 for the effects that it will have on the university and on the community at large. By repealing funds to such things as job training, community health centers, public housing, domestic violence programs, and drug treatment programs you are taking money and important resources away from populations that need them most. Furthermore, at a time when the university has repeatedly cut funding to graduate students, you plan on taking more. The legislature cannot continue to gut and neglect public education and then wonder why they are not seeing the educational outcomes they desire. It is completely unacceptable that in these economic times, when these programs and this funding are needed the most, you plan on repealing them with no explanation as to what will happen to said programs. Please vote against this bill. Thank you.

L A T E

HANNAH MIYAMOTO

SOCIOLOGY DEPT. • SAUNDERS HALL 247
2424 MAILE WAY • hsmiyamoto@msn.com

February 9, 2011

Senate Committee on Ways and Means
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Subject: Oppose Senate Bill 120 – Certain Special Funds; Repeal

Honorable Senators,

As a University of Hawai'i graduate student, I strongly oppose Senate Bill 120, especially insofar as it would take funds paid by students to support student activities.

The strongest reason that Senate Bill 120 should be rejected is:

IT'S OUR MONEY!!

When students paid this money to UH, they never expected it would be expropriated by the State. Moreover, these funds are only held by the University of Hawai'i as trustee, and students control how it is spent. If SB 120 became law, it would constitute a breach of the state's trust obligation to UH-Mānoa students.

Such a breach of trust will invite a class-action suit by students of UH-Mānoa against the State of Hawaii. This suit may also result in an injunction against SB 120, and the awarding of attorneys' fees.

Please don't steal our money. I regret that my work duties do not permit me to deliver my testimony in person.

Mahalo and Aloha,

/s/

Hannah Miyamoto, J.D., M.S.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 10:52 PM
To: WAM Testimony
Cc: idemello@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Isaac DeMello
Organization: Individual
Address: 2569 Dole St. Frear Hall Room 1002D Honolulu
Phone: 8084971171
E-mail: idemello@hawaii.edu
Submitted on: 2/9/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 10:52 PM
To: WAM Testimony
Cc: idemello@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Isaac DeMello
Organization: Individual
Address: 2569 Dole St. Frear Hall Room 1002D Honolulu
Phone: 8084971171
E-mail: idemello@hawaii.edu
Submitted on: 2/9/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 10:55 PM
To: WAM Testimony
Cc: fostersn@hawaii.rr.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Nancy Keonaonaokaniela Foster
Organization: Individual
Address: HI
Phone:
E-mail: fostersn@hawaii.rr.com
Submitted on: 2/9/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 10:55 PM
To: WAM Testimony
Cc: withacapitalm@yahoo.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Maria Lebron
Organization: Fashion Technology Student HCC
Address: 60 North Beretania St 1609 Honolulu, HI 96817
Phone: 808-386-4017
E-mail: withacapitalm@yahoo.com
Submitted on: 2/9/2011

Comments:

I strongly oppose raiding educational funds to balance the State Budget. I have waited a lot of years to be able to afford to go to college and I deserve the education I have paid for through my tax dollars. More importantly, why do I keep having to ask the question: Why is the answer to this economic crisis NOT to tax the rich?? All that money didn't vanish into thin air. Clearly someone got rich by stealing it all from us, go get it from them. I refuse to pay for it. And there's an entire school that agrees with me.

Testimony for WAM 2/10/2011 9:00:00 AM SB120

L A T E

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Angie Lead
Organization: Individual
Address:
Phone:
E-mail: alead99@yahoo.com
Submitted on: 2/9/2011

Comments:

SB 120 should be opposed because students at the University of Hawaii, Manoa like myself, will lose importance educational experiences if the bill is passed. There will be no funding for us to attend academic conferences that in the long run benefit not only students but UH as Hawaii's only research institution. We cannot afford to let other universities overshadow the abilities of our students to publish and engage in critical pedagogy. SB 120 should not be passed and this is vital if the State of Hawaii is to remain one of the academic leaders in our nation.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 11:03 PM
To: WAM Testimony
Cc: umbrellamonster@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Ian C.
Organization: Individual
Address:
Phone:
E-mail: umbrellamonster@gmail.com
Submitted on: 2/9/2011

Comments:

Testimony for WAM 2/10/2011 9:00:00 AM SB120

L A T E

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Samantha Edu
Organization: Individual
Address: 91-1536 Miula St. Ewa Beach, HI
Phone: 808 681-5623
E-mail: sedu@hawaii.edu
Submitted on: 2/9/2011

Comments:

To Whom It May Concern:

I am in opposition to the SB 120 bill, which would repeal all UH special and revolving funds and transfer their balances to the state general fund. This money belongs to the University of Hawaii at Manoa and is greatly needed to support student organizations and activities. Our university needs to have a robust college atmosphere, and if those funds were to be taken away, then the quality of student life would suffer.

Sincerely,
Samantha Edu

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 11:17 PM
To: WAM Testimony
Cc: dwoo.films@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Denyse Woo
Organization: UHSA Resolution 10-001
Address: PO Box 1294 Volcano
Phone: 808-756-5575
E-mail: dwoo.films@gmail.com
Submitted on: 2/9/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 11:18 PM
To: WAM Testimony
Cc: isaac_lipscomb@yahoo.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Isaac Lipscomb
Organization: Individual
Address: Honolulu, HI
Phone: 9515418767
E-mail: isaac_lipscomb@yahoo.com
Submitted on: 2/9/2011

Comments:

L A T E

SENATE COMMITTEE ON WAYS AND MEANS February 10, 2011, 9:00A.M.
TESTIMONY IN OPPOSITION TO S8 120 from Anthony Aalto.

Aloha Chair Ige and Members of the Committee:

As a citizen I urge you to hold, dismember and kill SB120, a misbegotten bill that would gut desperately needed funds for conservation and food & energy security.

Our beautiful environment is the foundation on which our economy is built.

It goes without saying that the environment needs protection in a place with possibly the greatest number of endangered species on earth. That protection is mandated by our constitution.

The solar industry is just beginning to take off. The benefits to our economy will be enormous as we come to lead the nation in fuel self-sufficiency and the use of clean alternative fuels. The solar industry and organic farming will help us diversify our economy. Who on earth would consider pulling the plug at a time like this?

Please do not allow this bill to advance.

Thank you for allowing me to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 11:54 PM
To: WAM Testimony
Cc: shakagirlz@hotmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Wanda Miyajima
Organization: Individual
Address: 3549 Wailani Road Koloa, HI
Phone: (808) 742-9547
E-mail: shakagirlz@hotmail.com
Submitted on: 2/9/2011

Comments:
I oppose this bill. Thank you for your time.

L A T E

Senator David Ige, Chair
Senator Michelle Kidani, Vice-chair
Committee on Ways and Means
February 8, 2011

To the Honorable Senator Ige,

Re: Opposition to SB 120, Relating to State Funds. Repeals certain special funds and transfers balances to the state general fund.

Chair Ige and members of the committee, my name is Angela Lactaen. I am a current undergraduate member of Campus Center Board as well as an undergraduate student of UH Manoa. Thank you for the opportunity to testify on SB 120 Relating to State Funds.

I strongly oppose SB 120, which would redirect student activity fee monies from Campus Center Operations & Recreation Fee also known as the University Revenue-Undertakings Fund into financing our state's budget shortfall situation.

There are several components that compose a student's college career: the educational chunk, the varying relationships fostered, and the opportunities that present itself when the student aspires to its full realization. Students from various disciplines, backgrounds, and class rankings participate in different programs brought to life by monies given to the University of Hawaii at Manoa. Siphoning the money to compensate a deficit is a short-term solution that will have long-term implications if passed. Students come to UH Manoa for the college experience as an educational aspect does not comprise the entirety of that student's college undergoing. Determined by the case in *Plessy v Ferguson* in 1896, education is not just what is taught in lecture halls by professors, but the paradigm extending a student's skills in other applications outside of the classroom as well. A student learns which capacity of the cerebellum is affected by classical music and uses that knowledge as a DJ of KTUH. A student purports to be a politician and practices leadership through roles in Chartered Student Organizations (CSOs). By passing this bill, the opportunities of students will be greatly cut, and the value of their education will depreciate.

This bill should also not be cut as our facilities are already severely lacking. Ventures such as the Campus Center Renovation and Expansion Project have been in talks for almost 10 years while Campus Center continues to show its age. Coffee and food stains litter the salmon-pink upholstery, the stairwell provides incongruities for students rushing to buy food between classes, the decorations and seating arrangements do little to impress Mainland families that UH Manoa has the facilities to provide an up-to-par education. Construction has already began on an expansion and renovation. Passing this bill would extinguish the wishes of most students who reflected in a 2009 EBI survey that a change in Campus Center was desperately wanted.

Passing this bill would also influence future decisions of students who could become potential leaders of the state of Hawaii. Coach McMackin worked so hard to obtain Under Armour sponsorship for the UH Manoa football team. Under Armour equipment is the best as it is effective at wicking away sweat and the material moves with players. During his career with UH Manoa, his emphasis on education showed him 24 football players to earn their diplomas- the most football-athletes to graduate in one year in UH history. He once said, "I give the best to my players so that they can give me their best." If we don't give the best we can to our students, how can we expect students to stay in the beautiful state of Hawaii and give back to society in the same respect? Young students have the most innovative and most creative solutions to problems. If we don't provide for the fostering of their creative and intellectual growth the best we can, the greatest leaders of tomorrow will leave the state and find opportunity elsewhere.

I urge the committee to be in opposition of SB 120. If passed, the bill would affect all students' educational experiences, halt progression on renovation projects, and impact the willingness of our best students to stay in Hawaii and elevate our state.

Thank you.

Sincerely,

Angela Lactaon
91-1058 Pakaweli Street Kapolei, HI 96707
amfl@hawaii.edu

L A T E

Dear Senate Ways and Means Committee,

I am against SB 120, which would repeal all University of Hawaii special and revolving funds and transfer their balances to the state general fund.

As a Senator At-Large with the Associated Students of the University of Hawaii at Kauai Community College (ASUH-KCC) Student Government, I strongly oppose this and any measure which would reallocate all or part of the funds students use to represent themselves with a Student Government. We use these funds to provide a safe and productive environment, services and events which contribute to student retention, and to sponsor student life including every club on campus.

Simply put, without these funds Student Governments would cease to exist as we know it. This would have a huge effect on the UH campuses. Services which Student Governments provide such as leadership development, the work and funding which forms the backbone of student life, voter registration and instilling the value of the democratic process, and serving to represent the students while also often working as a mediator for many disputes, would all be lost.

In addition to the countless services Student Government provides for students, we also do important work in the community. In the past year alone ASUH-KCC Student Government has hosted a forum for KIUC candidates, a forum on the future of Kauai, a candidate meet-and-greet, a hugely popular Earth Day event, and many other community oriented events.

I urge each of you to oppose any measure which would weaken the ability of Student Governments to provide important services to students and the community.

Mahalo,
Ian Ross
Senator At-Large
ASUH-KCC Student Government

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 12:49 AM
To: WAM Testimony
Cc: farmfreshhawaii@yahoo.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Juanita Kawamoto Brown
Organization: Individual
Address: 1926A Fern St. Honolulu, Hi
Phone: 808-330-6224
E-mail: farmfreshhawaii@yahoo.com
Submitted on: 2/10/2011

Comments:

I agree with the testimony submitted by the Environmental Caucus of the Democratic Party of Hawaii implicitly.

Testimony for WAM 2/10/2011 9:00:00 AM SB120

L A T E

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: William Wright
Organization: Individual
Address:
Phone:
E-mail: wrightwr@hawaii.edu
Submitted on: 2/10/2011

Comments:

I am writing in my testimony in opposition to SB120 in its current form. This bill indiscriminately eliminates funding for critical services. What are students like myself to do, when tuition funding suddenly disappears? How are programs such as the state trauma system, which has *matching federal funds*, deemed just as suitable for the chopping block as programs such as energy security which lacks definite risk-management based value to the public?

Please consider revising the bill to slowly reduce funding for students so they can make plans to leave the state rather than being left in the lurch. Also please apply cutting judiciously.

In its current form, the bill opens the legislature to the criticism of appearing panicked and caught off by the state's budgetary issues.

Testimony for WAM 2/10/2011 9:00:00 AM SB120

L A T E

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Marian Chau
Organization: Individual
Address:
Phone:
E-mail: mmchau@hawaii.edu
Submitted on: 2/10/2011

Comments:

Repealing the funds for all of the critical services listed in this bill would be so absurd, I can't understand how it is even being considered. As a graduate student at UH Manoa, I would be especially negatively affected in many ways, but this bill would intentionally do harm to all types of people in Hawaii, as well as our 'aina, and beyond that would decrease our quality of life. PLEASE do not pass this bill.

L A T E

TESTIMONY AGAINST SB120
Submitted by Sam L. Warner
Date 2/09/11

Aloha e Senator David Ige (Chair, Ways and Means) and Vice Chair Michelle Kidani,

My name is Sam L. Warner. I am writing this testimony in strong opposition to SB120 and related bills HB712 and SB1070. I mention my strong opposition to the latter two bills, as well because SB120 will fund a newly created state agency to be created in HB712, and that agency is then identified in SB1070.

One of the effects of this bill will be to fund the educational agency set up in HB712, which will be in control of all schools taught through the medium of Hawaiian language. As such, all schools presently in the Hawaiian Immersion program would fall under the authority of this newly established agency by July of 2011. This agency is identified in SB1070 as the Hawaiian Studies program at UH Hilo, which will be placed as part of a newly established Hawaiian Language University, which will be created in SB1070.

I am strongly opposed to the notion of setting up the Hawaiian Studies program at UH Hilo as the new DOE authority, which is also described in SB1070 as the sole provider of all teacher preparation programs, curriculum development, assessment and many more, for all Hawaiian medium and immersion programs. Currently, the DOE already has an office, which oversees the Hawaiian language immersion programs. This Hawaiian Immersion Program Office has been doing an excellent job the past 5 years with the advent of new leadership under Keoni Inciong and the current director of the Hawaiian Immersion Program, Kauai Sang.

Creating a new agency over Hawaiian Immersion schools constitutes a waste of tax payers money when currently there already exists a state agency which is doing an excellent job in strengthening the program. Furthermore, within the Hawaiian language immersion and medium communities, no meetings have ever been held where the stakeholders in the Hawaiian language communities have ever heard about these three bills, let alone decided that the Hawaiian Studies Program at UH Hilo should become the sole DOE authority to control the Hawaiian medium language schools and be the sole provider of Hawaiian language teacher preparation programs, curriculum development, assessment, etc.

Thus, funding a new agency, which is not supported by the very constituencies that is purported to serve does not make sense nor cents. Therefore, I strongly urge you to please kill bill SB120.

Mahalo a nui for this opportunity to submit my testimony in **STRONG OPPOSITION** to beill SB120.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 5:32 AM
To: WAM Testimony
Cc: mblbbutcher@msn.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Lauren Butcher
Organization: Individual
Address: PO Box 437466 Kamuela
Phone: 8088859607
E-mail: mblbbutcher@msn.com
Submitted on: 2/10/2011

Comments:

Joshua B. Mandelstam
Testimony for SB120
02/10/2011

L A T E

Aloha distinguished members of the Senate,

My name is Joshua Mandelstam, and I am a PhD Candidate at the University of Hawaii, as well as being a member and participant in several Certified Student Organizations. I am testifying today to remind this Senate that the University, and experience that it generates for the students is far more than just academics. Services like the KTUH radio station and Ka Leo newspaper, which are threatened by this bill serve the vital functions of providing communication across campus, as well as giving the students and faculty a voice in the community. These and other student organizations help furnish a diverse, yet unified atmosphere throughout the institution, and provide a means for any individual to dialogue with the ideas prevalent in the student body. Further, such services and organizations help to create a well rounded collegiate setting, which is an important factor when students decide whether to choose UH over other schools. It is participation these institutions, and not the brute academics, which provide valuable practical experience that will prove vital when students enter the job market.

In addition, I would like to remind the Senate that a good portion of the money in this fund is provided by student fees; the State Government has no right to take that money away from the students. If this Senate does feel that the portion provided by the State should be phased out, then it is the responsibility of this body to provide a long enough transition period (in the order of 3-4 years) to allow the University to create internal means of funding for these organizations. Otherwise, the experience of the UH student body, and the education of its graduates, will be greatly impoverished, and the readiness of students to enter the job force after graduation will be diminished.

Mahalo for your time,

Joshua B. Mandelstam
PhD Candidate
University of Hawaii at Manoa

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 6:31 AM
To: WAM Testimony
Cc: lenora@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Lenora Lorenzo DNPc, APRN, FNP
Organization: Individual
Address: 62 394 JP Leong Hwy, Haleiwa, Hi, 96712
Phone: 808 222 4330
E-mail: lenora@hawaii.edu
Submitted on: 2/10/2011

Comments:

I oppose altering the intent of this donation. This special fund is fed by our APRN and RN license renewal--\$20 per year for each nurse for our Center for Nursing. It is our Center, funded by us and they are doing great work. I strongly oppose contributing \$20 per year to the state general fund until I drop dead or retire! This is abuse of me as a taxpayers and unfair to Nursing to pay into the general fund to balance the budget. This is absolutely ridiculous!

I support continue this fund to the Center for Nursing or removing it. It is my money to contribute as I see fit. Please drop this bill immediately! Mahalo for following through and doing the right thing here!

LETTERHEAD

L A T E

To: Senator David Ige, Chair
Senator Michelle Kidani, Vice Chair
Senate Ways and Means Committee

Re: STRONG OPPOSITION to SB 120, Relating to State Funds
Hearing on Feb 10, 2011 at 9:00 a.m. in Room 211

Thank you for the opportunity to provide testimony on SB 120. I ask that you eliminate Section 120, which would eliminate funding for tobacco prevention and cessation efforts from the Tobacco Settlement Special Fund.

My name is Dr. Christine Fukui, member of the Board of Directors of the COPD Coalition. We sponsor free screening for COPD, tobacco cessation, educational events for physicians, patients and interested community members among many activities. This year will mark the 5th year of our COPD Education day.

Our community needs funding from the Tobacco Settlement Special Fund to keep kids from tobacco use and to help smokers quit. Eliminating the Tobacco Settlement Special Fund and HRS 328L-2 means that there will be no revenues dedicated for our crucial tobacco prevention and control efforts.

This is deeply alarming. Our efforts have already seen a severe reduction in funding for tobacco prevention and control. In 1999, the Tobacco Prevention and Control Trust Fund received 25% of the Tobacco Settlement Dollars. In 2001, the Trust Fund portion was cut down to 12.5%. And in 2009, it was cut again to 6.5%. We cannot afford to cut it down completely.

If funds are cut we will not be able to continue the above work. COPD is now the 3rd leading cause of death in the United States. Smoking is the leading preventable cause of disease. It is cost effective to support smoking cessation as well as diagnosis and treatment of COPD as these cost money in addition to causing morbidity and mortality in Hawaii.

Our programs work. We have seen strong reductions in youth smoking from almost 25% in 2000 to just above 11% in 2009. Our concern is that this progress will end if funds are further cut. All that stands between our youth starting to smoke and the tobacco industry is our tobacco prevention efforts. These efforts will be gone if funds are stopped.

I ask that you keep protect funding for tobacco prevention efforts.

Thank you for the opportunity to testify.

Aloha,

Christine Fukui M.D.
COPD Coalition, Board of Directors

L A T E

From: Lillian Cordeiro [ljcordeiro@yahoo.com]
Sent: Thursday, February 10, 2011 6:49 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Lillian Cordeiro
94-289 Leonui St #24
Waipahu, HI 96797

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 7:11 AM
To: WAM Testimony
Cc: gauyong86@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Gwen Auyong
Organization: Individual
Address: 46-255 KAHUHIPA STREET A1202 KANEOHE, HAWAII
Phone: 808 2479353
E-mail: gauyong86@gmail.com
Submitted on: 2/10/2011

Comments:
PLEASE DON'T PASS THIS BILL

From: kokee@okauai.com
Sent: Thursday, February 10, 2011 7:12 AM
To: WAM Testimony
Cc: Michael M. Kliks, PhD
Subject: TESTIMONY IN OPPOSITION TO SB 120

L A T E

TESTIMONY IN OPPOSITION TO SB 120
TO BE HEARD BEFORE THE SENATE WAYS AND MEANS COMMITTEE

On: Thursday, 02.10.2011
At: 9:00 A.M.
In: Room 211 at the State Capitol

To: Senator David Ige, Chair, and Members of the Senate Ways and Means Committee

From: Frank O. Hay, a Beekeeper on the Island of Kauai

Dear Senator Ige,

I strongly support local, diversified agriculture. I understand the importance of the Hawai'i Seal of Quality Program in promoting self-sufficiency and sustainability in our food production. I oppose Senate Bill 120, that, in its current state, would repeal the Seal of Quality Special Fund, under language found on Page 37, line 20-21; Page 38, line 1-21; and Page 39, line 1-2.

In my opinion, the Bill as written is detrimental to Hawaii's goals of achieving food self-sufficiency in the future. It is unfair to repeal this Special Fund, which is funded by Seal of Quality participants themselves, using income from the sales of Seal of Quality seals and impressions.

The revenues collected should benefit food producing members in the Seal Of Quality program and not be diverted back to the general fund. These types of user-funded private-public cooperative efforts should be encouraged by our Legislature.

Very truly yours,

Frank O. Hay
PO Box 9
Kekaha, Kauai, Hawaii 96752-0009

(808) 635-3226

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 7:15 AM
To: WAM Testimony
Cc: aikaneplantation@hawaii.rr.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Phil Becker
Organization: Aikane Plantation
Address: Pahala
Phone: 808-927-2252
E-mail: aikaneplantation@hawaii.rr.com
Submitted on: 2/10/2011

Comments:

Senator David Ige, Chair, and members of the Senate ways and Means Committee,

The SEAL OF QUALITY has been one of the main reasons for the growth of our company. The SOQ assures the buyer that the product represented is of the best quality. When they see the SOQ seal they know it's good.

We, as SOQ participants, not only inform consumers how special the program is to the farmer, but we help support the program by buying SOQ stickers.

The money from the stickers and impressions should stay in the SOQ program and should NOT be derailed into the general funds. We are supporting SOQ not What Ever.

Keep the money in SOQ where it belongs. SOQ is so important for the consumer and the sustainability of the farmer.

Thank you,

Phil Becker

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 7:37 AM
To: WAM Testimony
Cc: hfeagai@hpu.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

LATE

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Hobie Etta Feagai
Organization: Individual
Address: 45-045 Kamehameha Highway Kaneohe, HI
Phone: 2367900
E-mail: hfeagai@hpu.edu
Submitted on: 2/10/2011

Comments:

Richard Camp
11-3848 8th St; POB 281
Volcano, HI 96785
808-985-7143

L A T E

RE: Testimony by email on SB120

To Whom It May Concern:

I oppose this bill that would cut support and funding that would seriously diminish conservation efforts across the state. In addition to undermining the conservation efforts by directly cutting funds from the Department of Land and Natural Resources conservation programs like the Natural Areas Reserve Funds and the Forest Stewardship Funds, it would undermine the larger conservation efforts of both governmental and non-governmental agencies including many watershed partnerships and invasive species committees. Hawaii has always been dependent on maintaining healthy ecosystems. The ancient Hawaiians knew this and developed complex management systems to ensure that the environment meet their needs. This approach needs to be continued today and into the future, as our economy is completely based on healthy ecosystems.

Although these are difficult economic times and everyone needs to share a portion of the burden, legislation bill SB120 goes too far and if passed will seriously damage our fragile home! I oppose this bill.

Sincerely,
Richard Camp

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 7:47 AM
To: WAM Testimony
Cc: hedgeplease@hotmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Benjamin Olson
Organization: Individual
Address: 1088 Bishop St. #1203 HONOLULU
Phone:
E-mail: hedgeplease@hotmail.com
Submitted on: 2/10/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 8:00 AM
To: WAM Testimony
Cc: kathyfuranski@yahoo.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Kathy Furanski
Organization: Individual
Address: 1269 Hudson Way Honolulu, HI
Phone: 901-292-4178
E-mail: kathyfuranski@yahoo.com
Submitted on: 2/10/2011

Comments:

I do not want my nursing dues going to the state fund where the Hawaii Board of Nursing will have no power where the funds go. HI is one of the most expensive states for licensure and I don't want my hard earned money abused.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 8:07 AM
To: WAM Testimony
Cc: tracymurakami@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Tracy Murakami
Organization: Individual
Address: Kapaa HI
Phone: (808) 822-6980
E-mail: tracymurakami@gmail.com
Submitted on: 2/10/2011

Comments:

I strongly OPPOSE this bill. Compensation for crime victims SHOULD NOT be eliminated.

Tracy Murakami
Kauai, Hawaii

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 8:12 AM
To: WAM Testimony
Cc: zacks@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Michelle Zacks
Organization: Individual
Address: 10179 Old Claiborne Rd. Claiborne, MD 21624
Phone: 410.443.2237
E-mail: zacks@hawaii.edu
Submitted on: 2/10/2011

Comments:

Dear Senators,

I am a PhD candidate in American Studies at the University of Hawai'i at Manoa who has received funding for travel related to my research through the Graduate Student Organization. I understand that this bill would fold such funds into the state's general funds. If such a merge means that these funds would no longer be available for the GSO to disburse to graduate students, I find this appalling. Graduate students from UH already face quite an uphill challenge competing with students from mainland universities and colleges who, simply out of geographical proximity and often because of better funding, are able to attend academic conferences to present papers with much greater ease than Hawai'i students. The playing field is far from level! If you care to make UH a competitive research institute that graduates well-qualified students, you need to provide funding for it! It is that simple. You don't want to shut down graduate education at UH, do you?

Sincerely,
Michelle Zacks

L A T E

February, 10, 2011

WAM 211 SB 120
VIA EMAIL

RE: Testimony in Opposition of S.B.120
Decision Making
April 7, 2010, 9:30 a.m.
Conference Room 211

To Whom It May Concern:

I write this testimony in strong opposition to S.B.120

As a full-time faculty member at the University of Hawai'i at Mānoa, I am responsible for the administration of an interdisciplinary Master's of Education in Early Childhood Education. I have also worked with the Kellogg Foundation *P3 Initiative* to create and implement a graduate level Certificate in Early Childhood, Preschool to Age Eight (PK-3). Both of these are programs designed to meet what is considered to be an area of high need both in our state and nationally.

Unfortunately both will most likely not continue if S.B. 120 passes. The reason is that both are operated with special funds-not through general funds. Both are self-supporting and we work hard to use the resources the programs generate efficiently and frugally. I am convinced that the Med ECE program would not have survived the last round of budget cuts if dependent on general funds. I am also convinced that without the use of the special funds generated by the PK-3 Certificate program, we would not be able to include an essential component of the program design: job embedded professional development aimed specifically to increase teacher ability to effectively teach early literacy, PK-3.

Our public institutions exist to serve our children; public school teachers need access to the best knowledge available in both their pre-service and in their ongoing professional development opportunities. I urge you to reject this bill, thus safeguarding the special funds that allow programs like these to continue as long as they can support themselves.

Please reject S.B.120

Thank you.

Sincerely,

Nanette S. Schonleber
5437 Opihi Street
Honolulu, HI 96821

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 8:25 AM
To: WAM Testimony
Cc: pcooper@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Patricia Cooper
Organization: Individual
Address: 3055 Hibiscus Drive Honolulu, HI 96815
Phone: 808-341-3318
E-mail: pcooper@hawaii.edu
Submitted on: 2/10/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 8:28 AM
To: WAM Testimony
Cc: aloo@hamakua-health.org
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Anita Loo
Organization: Hamakua Health Center
Address: 45-549 Plumeria St. Honokaa, HI 96727
Phone: 808-775-0706
E-mail: aloo@hamakua-health.org
Submitted on: 2/10/2011

Comments:

I have been employed 15 1/2yrs. at Hamakua Health Center. Patient care is very important in this area and servicing people with health conditions are vital to their wellness. Cutting funds to community health centers would be a grave error. Please make a sound judgment for the sake of those who are at or below poverty level. Mahalo !

February 9, 2011

L A T E

COMMITTEE ON WAYS AND MEANS

Senator David Y. Ige, Chair

Senator Michelle Kidani, Vice Chair

DATE: Thursday, February 10, 2011

TIME: 9:00 A.M.

PLACE: Conference Room 211

**SB120 Sections 36 and 37
Oppose**

Aloha,

The island ecosystems are an integral and irreplaceable part of the culture of Hawaii, and the cultural integrity of Hawaii is what keeps us all whole and healthy!

My name is Deborah Ward, and I farm citrus in Kurtistown, Puna, Hawaii Island. I have been an active member of Sierra Club for thirty years, and I hike, photograph, take part in NAR service trips, and I spend a lot of time trying to protect the natural areas and habitats of the islands, because we live in such a fragile and unique setting. Farmers understand the close connection between a healthy natural environment, land protection, stewardship, water supply, agricultural self-sufficiency and the economy.

Bill (SB 120) as currently written would totally repeal the Natural Area Reserve Fund and the Forest Stewardship Fund.

This is sadly shortsighted! We desperately need to protect our natural resources, and this funding is critical to maintaining these precious functions. I volunteer to support these programs, but I could not do so without the programs in place! I urge you to amend the bill to restore funding to the Natural Area Reserve Fund and the Forest Stewardship Fund.

Thank you!

Deborah Ward
P.O.Box 918
Kurtistown HI 96760
808-966-7361
dward@hawaii.edu

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 8:38 AM
To: WAM Testimony
Cc: irishtzr@aol.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: colleen osullivan
Organization: Individual
Address: Pau Nani St Waikoloa
Phone: 808-896-5963
E-mail: irishtzr@aol.com
Submitted on: 2/10/2011

Comments:

This special fund was set aside to support nursing group, I do not want it to be generically included in any other general state fund but only remain in its original plan.

Thank you

L A T E

Senator David Ige, Chair
Senator Michelle Kidani, Vice-chair
Committee on Ways and Means
February 8, 2011

To the Honorable Senator Ige,

Re: Opposition to SB 120, Relating to State Funds. Repeals certain special funds and transfers balances to the state general fund.

Chair Ige and members of the committee, my name is Sean Lam. I am a member of the Campus Center Board at UH Manoa. Thank you for the opportunity to testify on SB 120 Relating to State Funds.

I strongly oppose SB 120, which would redirect student activity fee monies from the Campus Center Operations & Recreation Fee, and the Campus Center Programs Fee also known as the University Revenue-Undertakings Fund into financing our state's budget shortfall situation.

The reasons why this is bad legislation are:

1. Special and revolving funds were set-up for specific purposes, as in the case for University of Hawaii student activity funds which are derived to provide services, programs and facilities that will enhance the student's college education. The intention of such services to students is to help with student retention so that students can better engage their community with the goal of eventual graduation. It is documented research that students who engage in co-curricular activities will be better prepared as citizens and members of workforce. Taking from these funds will impact, diminish and/or eliminate these programs and services that are meant to support students.
2. The UH Campus Center Student Union which operates with special and revolving funds is self-sustaining. We have had to be planful and frugal in how we deliver services and programs as we address the demands of students. Funds that are saved are used to repair the facility and replace aging equipment. Transferring these funds will negatively impact how we can continue to be self-sustaining.
3. Our ability to offer students employment, job training and preparation will be greatly impacted. The loss of funds and reduced budgets will cost students their jobs. Many of our students take on campus jobs not only to improve their learning or to obtain work experience but they do so to help pay for their education. Many of our students need their jobs to make ends meet. Transferring these funds will reduce the number of student jobs available and will almost certainly reduce services and programs.

4. Any fund balances are used for future equipment and building repair and replacement. Given the age of the UH student union buildings (built in 1938 and 1974) of which we are responsible for, there will be greater deterioration of facilities and equipment if funds that have been allocated for maintenance/replacement projects are taken. The action of transferring balances to the general fund will prevent us from making the necessary repairs.

I urge the committee to be in opposition of SB 120. I strongly believe that SB 120 will be detrimental both in the short term and the long term.

Thank you.

Sincerely,

Sean Lam

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 8:52 AM
To: WAM Testimony
Cc: Localnel2000@yahoo.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM
Attachments: SB 120.wps

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Nelson Batalion
Organization: ASUH- Kauai Community College Student Government
Address:
Phone:
E-mail: Localnel2000@yahoo.com
Submitted on: 2/10/2011

Comments:

L A T E

From: Gina Chun [gina@brilhanteready.com]
Sent: Thursday, February 10, 2011 8:38 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Gina Chun
57A Hoaka Road
Hilo, HI 96720

Senator David Y. Ige
Senator Michelle Kidani, Vice chair,
Committee on Ways and Means
Hawaii State Legislature

L A T E

February 10, 2011

Zoe Eisenpress
Honolulu, HI 96734
ezeisenpress@gmail.com

RE: Testimony in Opposition to SB 120

I am in opposition of SB 120 which would eliminate the Natural Area Reserve Fund. This funding supports on-the-ground control and surveying of invasive species. Invasive species cause negative impacts to our State economically, environmentally, and culturally. The Natural Area Reserves funding provides jobs and helps to protect our fragile and unique island ecosystem. It would be detrimental to the health of our ecosystem and the citizens and tourists who rely on it if this fund were eliminated.

Sincerely,

Zoe Eisenpress

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 9:00 AM
To: WAM Testimony
Cc: sharain@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Sharain S Naylor
Organization: Individual
Address: 1379A 13th Ave HI
Phone: 808-457-7021
E-mail: sharain@hawaii.edu
Submitted on: 2/10/2011

Comments:

I strongly oppose this bill. You may not acquire University funds to pay for the state operating costs. We are already underfunded at UH Manoa. This is no solution for the state. This bill is unacceptable. Stop threatening to taking away our funds. Stop harassing us by making us come down there and write to you about bills like this. Stop lying to us that you believe in public education for the state. Why would your destroy the only university where you can get an advanced degree in Hawaii? This is a clear display of very poor judgement and leadership of those who support this bill. I am so disappointed in you.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 9:00 AM
To: WAM Testimony
Cc: sharain@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Sharain S Naylor
Organization: Individual
Address: 1379A 13th Ave HI
Phone: 808-457-7021
E-mail: sharain@hawaii.edu
Submitted on: 2/10/2011

Comments:

I strongly oppose this bill. You may not acquire University funds to pay for the state operating costs. We are already underfunded at UH Manoa. This is no solution for the state. This bill is unacceptable. Stop threatening to taking away our funds. Stop harassing us by making us come down there and write to you about bills like this. Stop lying to us that you believe in public education for the state. Why would your destroy the only university where you can get an advanced degree in Hawaii? This is a clear display of very poor judgement and leadership of those who support this bill. I am so disappointed in you.

L A T E

From: Kawika Liu [kaolelo@gmail.com]
Sent: Thursday, February 10, 2011 9:21 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Kawika Liu
2645 Nahaku Place
Honolulu, HI 96826

LATE

From: Juan Moncada [moncadaj001@hawaii.rr.com]
Sent: Thursday, February 10, 2011 9:28 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Juan Moncada
120 Opio Road
Hilo, HI 96720

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 9:33 AM
To: WAM Testimony
Cc: ckfujimo@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Chrystie Fujimoto
Organization: Individual
Address: 1319 Punahou Street #990 Honolulu, HI
Phone: 9461481
E-mail: ckfujimo@hawaii.edu
Submitted on: 2/10/2011

Comments:

Testimony for SB120

L A T E

From: Liz Huppman
2517 Saul Place
Honolulu, HI 96816

Date: February 10, 2011

Subject: Opposition to SB120

Dear Senators,

I am writing to voice my opposition to SB120 because I think it would have a very negative effect on the University of Hawaii's programs and services.

I am particularly concerned about the negative effect it would have on Lyon Arboretum, the University's very special botanical garden. Lyon's large and important collection of tropical plants, both native and exotic, has taken years to build and is valuable for research, education, conservation and support for our local nursery and landscape industries (important small businesses).

In recent years the Arboretum has received vital legislative support for more staffing and building renovation that has been greatly appreciated and has produced notable results. I would hate to see the collections and buildings go into a decline again due to inadequate funding. It costs more in the long run to bring back neglected areas and buildings than to keep up with maintenance. Safety is a problem also when proper maintenance is not funded.

I hope that the legislature can find a less destructive way to deal with budget problems than taking money in this way from UH.

Sincerely,

Liz Huppman

LETTERHEAD

L A T E

To: Senator David Ige, Chair
Senator Michelle Kidani, Vice Chair
Senate Ways and Means Committee

Re: STRONG OPPOSITION to SB 120, Relating to State Funds
Hearing on Feb 10, 2011 at 9:00 a.m. in Room 211

Thank you for the opportunity to provide testimony on SB 120. I ask that you eliminate Section 120, which would eliminate funding for tobacco prevention and cessation efforts from the Tobacco Settlement Special Fund.

My name is Valerie Saiki, the Tobacco Control Specialist for Kaua'i's East Side Complex School District under Na Lei Wili Area Health Education Center, which implements tobacco prevention and cessation within the schools from Kindergarten to 12th grade. We also provide brief intervention training to Kauai Community College's first year Nursing students.

Our community needs funding from the Tobacco Settlement Special Fund to keep kids from tobacco use and to help smokers quit. Eliminating the Tobacco Settlement Special Fund and HRS 328L-2 means that there will be no revenues dedicated for our crucial tobacco prevention and control efforts.

The Kaua'i community has benefited from these funds on many levels, especially with the youth. I am the Tobacco Specialist for the East Side of Kauai, where I implement prevention classes in 3 elementary schools, Kapaa Middle School and Kapa'a High School. Working with these youth for the past 5 years, I have seen a rapid decrease in tobacco use and also an increase in the negative perception of tobacco use, especially teen tobacco use.

With my efforts in the school at each grade level, via trust fund, Kapa'a High School has noticed a decrease in tobacco use and proud to discover a lower tobacco use rate than the state average (Hawai'i state average high school smoking rate was 11.3% in 2009; HYRB survey. Kapa'a High school in 2009 was 7.5%; Kapa'a High School Tobacco Survey).

However, when the funds were cut in 2009, my hours in the school also were cut. I went from 40 hours a week to 15 hours a week to serve the same schools. The results were intense. Our Kapa'a High School 2010 tobacco survey, administered in September 2010 resulted with an increase to 10.9% tobacco use within the last 30 days. Kaua'i is still below the state average but a 3.4% increase in one year is alarming, imagine if this happened statewide.

Our efforts have already seen a severe reduction in funding for tobacco prevention and control. In 1999, the Tobacco Prevention and Control Trust Fund received 25% of the Tobacco Settlement Dollars. In 2001, the Trust Fund portion was cut down to 12.5%. And in 2009, it was cut again to 6.5%. We cannot afford to cut it down completely.

Our programs work. We have seen strong reductions in youth smoking. All that stands between our youth starting to smoke and the tobacco industry is our tobacco prevention efforts. These efforts will be gone if funds are stopped. I ask that you keep protect funding for tobacco prevention efforts.

Thank you for the opportunity to testify.

Valerie Saiki
Kaua'i East-Side Complex Tobacco Control Specialist

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 10:04 AM
To: WAM Testimony
Cc: craigfnp@yahoo.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Craig Fujii
Organization: Individual
Address: 94-510 Lumiaina Street M104 Waipahu, HI
Phone: 808-779-2784
E-mail: craigfnp@yahoo.com
Submitted on: 2/10/2011

Comments:

Funds collected to operate the Center for Nursing come from license renewals by nurses. Using those monies in the General Fund are not appropriate, and will likely kill the Center.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 10:06 AM
To: WAM Testimony
Cc: joannao@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Joanna
Organization: BOSP
Address:
Phone:
E-mail: joannao@hawaii.edu
Submitted on: 2/10/2011

Comments:

We need stipends in these organizations for these kinds of organizations give us the experience we need to work out in the real world. Giving us a safe environment and a stipend gives us a sense of good, clean independence where we can learn and grow at the same time while earning a bit of cash for our efforts in doing the best work we can. Stipends give us the feeling that we are independent adults making our way into society one step at a time and with that we will be more probe to be more successful in the real world.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 10:15 AM
To: WAM Testimony
Cc: janelll@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Janell Pulido
Organization: Individual
Address:
Phone:
E-mail: janelll@hawaii.edu
Submitted on: 2/10/2011

Comments:

I am a registered nurse. I currently contribute to the funding of the Hawai'i Center For Nursing (HSCFN) each time I renew my nurse's license. I do NOT want my support diverted from the HSCFN, because their efforts greatly contribute to improving the health of Hawaii's people.

Thank you for this opportunity to testify, Janell Pulido, BSN

L A T E

From: Sheryll Yotsuda [shy_sheryll767@yahoo.com]
Sent: Thursday, February 10, 2011 9:59 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Sheryll Yotsuda
Lanakila Rd
KAPAA, HI 96746-1239

L A T E

Senator David Ige, Chair
Senator Michelle Kidani, Vice-chair
Committee on Ways and Means
February 8, 2011

To the Honorable Senator Ige,

Re: Opposition to SB 120, Relating to State Funds. Repeals certain special funds and transfers balances to the state general fund.

Chair Ige and members of the committee, my name is Emily Morihara. I am a student at the University of Hawaii at Manoa. Thank you for the opportunity to testify on SB 120 Relating to State Funds.

I strongly oppose SB 120, which would redirect student activity fee monies from the Campus Center Operations & Recreation Fee, and the Campus Center Programs Fee also known as the University Revenue-Undertakings Fund into financing our state's budget shortfall situation.

The reasons why this is bad legislation are:

1. Special and revolving funds were set-up for specific purposes, as in the case for University of Hawaii student activity funds which are derived to provide services, programs and facilities that will enhance the student's college education. The intention of such services to students is to help with student retention so that students can better engage their community with the goal of eventual graduation. It is documented research that students who engage in co-curricular activities will be better prepared as citizens and members of workforce. Taking from these funds will impact, diminish and/or eliminate these programs and services that are meant to support students.
2. The UH Campus Center Student Union which operates with special and revolving funds is self-sustaining. We have had to be planful and frugal in how we deliver services and programs as we address the demands of students. Funds that are saved are used to repair the facility and replace aging equipment. Transferring these funds will negatively impact how we can continue to be self-sustaining.
3. Our ability to offer students employment, job training and preparation will be greatly impacted. The loss of funds and reduced budgets will cost students their jobs. Many of our students take on campus jobs not only to improve their learning or to obtain work experience but they do so to help pay for their education. Many of our students need their jobs to make ends meet. Transferring these funds will reduce the number of student jobs available and will almost certainly reduce services and programs.

4. Any fund balances are used for future equipment and building repair and replacement. Given the age of the UH student union buildings (built in 1938 and 1974) of which we are responsible for, there will be greater deterioration of facilities and equipment if funds that have been allocated for maintenance/replacement projects are taken. The action of transferring balances to the general fund will prevent us from making the necessary repairs.

I urge the committee to be in opposition of SB 120. I strongly believe that SB 120 will be detrimental both in the short term and the long term.

Thank you.

Sincerely,

Emily Morihara
95 Nakeke Place
Wahiawa, HI 96786
emilymm@hawaii.edu

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 10:35 AM
To: WAM Testimony
Cc: coleheather8@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Heather Cole
Organization: Individual
Address: 19-4558 Amaumau Street Volcano, HI
Phone: 808 985-9779
E-mail: coleheather8@gmail.com
Submitted on: 2/10/2011

Comments:

The most important department the State of Hawaii has enabled in the field of conservation is the Natural Area Reserve. When the State recognized that we needed to protect the "best of the best" native forests remaining in Hawaii, it showed that indeed it is a forward thinking state. Please do not cut any funds that help to make this a fully functioning and desperately needed conservation resource.

Mahalo,
Heather Cole

LATE

From: Helen Barrow [helenb@ccmaui.org]
Sent: Thursday, February 10, 2011 10:44 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Helen Barrow
PO Box 822
1881 Nani Street
Makawao, HI 96768

L A T E

From: Alethea Kuulei Serna [kserna@hawaii.edu]
Sent: Thursday, February 10, 2011 10:45 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

I would like to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

Tobacco is highly addictive. We cannot stop funding to something that has gained much success and give it to something else that hasn't shown marked gains. You would take money from an investment that has shown much success and switch those monies to something that is not proven or shows loss over time. Would you?

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed.

The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Alethea Kuulei Serna
91-1269 Kuanoo St.
Ewa Beach, HI 96706

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211

Testifier position: oppose

Testifier will be present: No

Submitted by: Noa Lincoln

Organization: Individual

Address: 82-6188 Mamalahoa Highway Captain Cook, HI

Phone: (808) 217-7710

E-mail: nlincoln@stanford.edu

Submitted on: 2/10/2011

Comments:

This statement is in opposition of SB120 that seeks to repeal funding for the Natural Area Reserve and the Forest Stewardship Fund. I am of native Hawaiian ancestry, have been born and raised in Hawaii, where I've lived for 29 years. I am currently a PhD Candidate from Stanford University in Interdisciplinary Resource Management.

Hawaii's unique environment and natural resources are worth saving for many reasons, and are already drastically under funded and ignored by our local governance. Our natural resources that are protected by these funds, including our coral reefs and intact forests, provide significant support of the culture, lifestyle, and economics in Hawaii. Keeping our environment intact and productive allows for both Hawaiian and non-Hawaiians to experience the culture and lifestyle that makes Hawaii unique and attractive. Furthermore, these resources and a significant part of the attraction that maintains tourism as the basis of our economy. To erode these resources destroys the fundamental attributed that define Hawaii, which will contribute to the destruction of our culture and identity as well as render Hawaii less attractive to outsiders.

Hawaii's constitution has clearly stated devotion to maintaining culture, environment, and agriculture. I argue that these priorities have long existed simply as a lip service, and we have continued to degrade the resources that will provide us long-term prosperity in exchange for higher short-term profits. I urge our political leaders to have vision for the future, and realize that only by protecting our natural resources will we have a sustainable and healthy future.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 11:25 AM
To: WAM Testimony
Cc: craigsmi@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM
Attachments: SB120 Testimony 2-10-11.pdf

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Craig R. Smith
Organization: Individual
Address: 1271 Ulunahale Street Kailua
Phone: 261-5693
E-mail: craigsmi@hawaii.edu
Submitted on: 2/10/2011

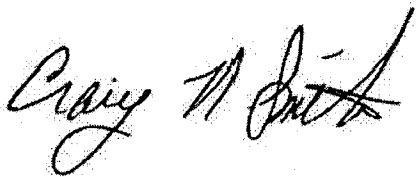
Comments:

L A T E

Dear Hawaii State Senate,

SB120, which would repeal all special and revolving funds for a broad range of important programs and activities is a very bad idea. It would programs or real social and environmental importance include state programs for (1) reducing child abuse, (2) lead abatement, (3) job training, (4) emergency medical services, (5) reducing domestic violence, (6) UH student tuition and activities, and (7) dam and reservoir safety. It would also remove funds for key environmental programs affecting water resource management, dam and reservoir safety, commercial fisheries, state parks, and energy security at a time when our coastal environment is suffering the deleterious effects of major human impacts. To reinstate these important programs piecemeal would require enormous effort and result in the loss (temporary or permanent) of important social, environmental and educational services for many worthy state residents. Please do not pass this bill because it certainly is not in the best interests of the people of Hawaii.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig M. Smith". The signature is written in a cursive, flowing style.

PhD in Oceanography, and Pew Fellow in Marine Conservation

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 11:41 AM
To: WAM Testimony
Cc: anthony@veteranswaybicycles.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position:
Testifier will be present: No
Submitted by: Anthony Tony Austin
Organization: Individual
Address: 92-783 Makakilo Dr. 15 Kapolei, Hi 96707
Phone: 808-372-6390
E-mail: anthony@veteranswaybicycles.com
Submitted on: 2/10/2011

Comments:

I oppose SB120 because I think that the special projects are needed to further create an sustainable island.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 11:45 AM
To: WAM Testimony
Cc: tuv@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Tu Anh Vu
Organization: Individual
Address: 1703 B KAM IV ROAD HONOLULU, HI
Phone: 808-066927
E-mail: tuv@hawaii.edu
Submitted on: 2/10/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 12:41 PM
To: WAM Testimony
Cc: eakins@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Tim Eakins
Organization: Individual
Address:
Phone:
E-mail: eakins@hawaii.edu
Submitted on: 2/10/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 2:20 PM
To: WAM Testimony
Cc: h123tura@lava.net
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: H Turano
Organization: Individual
Address:
Phone:
E-mail: h123tura@lava.net
Submitted on: 2/10/2011

Comments:

I believe that SB120 is cutting funds that are needed for programs that are beneficial to Hawaii's people. A lot of services and programs rely on the funding they receive. If anything the funds should be increased to these areas and not decreased. I note that the issue in Kauai years ago could have been avoided re: the Koloko Dam/Reservoir if it was regularly inspected as it should be. Programs that help food security, air and water quality need more funding and support and not less. Affecting our university systems funds is also wrong. Students pay tuition and expect to go to a University and receive as much education and benefits as they are due. The faculty also depend on the RTRF funds. Should we expect the faculty to buy their own paper and pens out of their pocket money? Or are we thinking that all the programs will have as many fees to run as the airline and bank industries assault us with.

Please oppose this bill. It is insulting to the people of this state. If you must raise money, please increase general taxes.

L A T E

From: Andrew CHun [andrewatchun@gmail.com]
Sent: Thursday, February 10, 2011 2:39 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Andrew CHun
57A Hoaka Road
Hilo, HI 96720

L A T E

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 2:50 PM
To: WAM Testimony
Cc: waimeavalleygirl@hotmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Bonnyjean Manini
Organization: Individual
Address: Honolulu HI
Phone:
E-mail: waimeavalleygirl@hotmail.com
Submitted on: 2/10/2011

Comments:

I ask that legislators vote NO to SB120. Many of the funds attached to the University of Hawaii, like the student activities revolving fund, cover costs related to facility operations, personnel, and the investment in student leadership development through hands on experiential learning in student organizations.

There is no doubt our state is still encountering budget shortfalls, I honestly believe that answer is in increasing the GET. Our state GET is very low and we have seen from Oahu that a slightly increased GET to set funds aside for the rail has not done a tremendous damage to us. Please consider this option instead of this scoping method.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 4:12 PM
To: WAM Testimony
Cc: cyasuhar@hotmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Catherine Yasuhara
Organization: UH Manoa
Address: 47-514 Hui Kelu Street HI
Phone: 808 450-6566
E-mail: cyasuhar@hotmail.com
Submitted on: 2/10/2011

Comments:

I am a student attending UH Manoa. I am currently the treasurer of CMAA. We depend on organizations from the school to help fund for our clubs. We also participate in fundraisers, but our club in particular isn't as big as most of the other clubs and it's difficult to get everyone together with their busy schedules with school, work, sports, and clubs. We depend greatly on funding from particularly ASUH Rio funds. I have also applied for several scholarships to help me pay for tuition and it's the best source of scholarships I have found in my entire time being in the UH system, and I just found it to find that it might not be around for long. Please take my view into account for deciding this very important decision. Mahalo, Catherine Yasuhara

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Adriane HG Akau
Organization: Individual
Address: 4261 Kailewa Street Lihue, HI
Phone: 808-631-0796
E-mail: ahgakau@hawaii.edu
Submitted on: 2/10/2011

Comments:

Dear Senate Ways and Means Committee,

I am against SB 120, which would repeal all University of Hawaii special and revolving funds then transferring their balances to the state general fund.

As a Student Leader for the Associated Students of the University of Hawaii at Kauai Community College (ASUH-KCC) Student Government, we use this specific student activity fee revenue to directly support independent campus organizations; numerous co-curricular programs and community events that we sponsor every semester.

Student activity fee revenue is also vital in supporting on-going Student Life Center rejuvenation projects. This enables ASUH-KCC Student Government to update and replace broken furniture, purchase better computer equipment and sustain the organizational day-to-day operations.

Repealing our student activity revolving fund would cripple our student life programs and student led activities and it will destroy all that we have worked for.

From: Jill Friedman [jillf2184@yahoo.com]
Sent: Thursday, February 10, 2011 5:53 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Jill Friedman
P.O. Box 1248
4572 Io Road Kekaha
Kekaha, HI 96752-1248

L A T E

From: Camille Chong [ccnal@hotmai.com]
Sent: Thursday, February 10, 2011 6:49 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Camille Chong
1617 Young St., A101
1617 Young St.
Honolulu, HI 96826

L A T E

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 7:20 PM
To: WAM Testimony
Cc: annaholt@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Anna Holt
Organization: Individual
Address:
Phone:
E-mail: annaholt@hawaii.edu
Submitted on: 2/10/2011

Comments:

Chair Ige and Vice Chair Kidani, Members of the Senate Ways and Means Committee:

I am a registered nurse. I currently contribute to the funding of the Hawai`i Center For Nursing (HSCFN) every time I renew my nurses license because a portion of that fee goes into a special fund for the HSCFN. I do this gladly and with great appreciation to the Legislature for creating the HSCFN and for the excellent work product HSFCN has created in the past 3 years. I do NOT want my support diverted from the HSCFN. There is much work for the Center to do in the coming decade simply to MAINTAIN the health of our citizens, not to mention their efforts to improve it.

I object to the deletion of the language found on page 6, line 12, moving funding for the Hawai`i Center For Nursing from a special fund to the general fund. I strongly oppose this deletion. Please do not let this bill move forward with the stated language omitted from 36-27 HRS, as written in Section 3 of this bill.

Thank you for the opportunity to testify on this bill.
Anna Holt, RN

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 9:23 PM
To: WAM Testimony
Cc: yookom@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Deborah dela Cruz
Organization: Individual
Address:
Phone:
E-mail: yookom@gmail.com
Submitted on: 2/10/2011

Comments:

I oppose Section 110 of Senate Bill 120. As unemployment has gotten worse, more and more people have lost their medical insurance and are relying on the services of the community health centers. The uninsured are being directed to the health centers by more commercially oriented medical facilities. Section 110 is a prime example of penny wise, pound foolish. It appears to save money but will cost more when people show up in emergency rooms and need major medical and dental procedures at State expense. The repeal of the health center special fund will take away the only source of dedicated state funding for community health centers and will, in effect, mean the end for many centers. Please allow health centers to do what they do best - care for people economically.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 10:01 PM
To: WAM Testimony
Cc: hardcorerocker123@gmail.com
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

L A T E

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Bob
Organization: Individual
Address:
Phone:
E-mail: hardcorerocker123@gmail.com
Submitted on: 2/10/2011

Comments:

L A T E

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 10:42 PM
To: WAM Testimony
Cc: ayezza@hawaii.edu
Subject: Testimony for SB120 on 2/10/2011 9:00:00 AM

Testimony for WAM 2/10/2011 9:00:00 AM SB120

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Amy
Organization: Student Government
Address:
Phone:
E-mail: ayezza@hawaii.edu
Submitted on: 2/10/2011

Comments:

I don't believe that the University of Hawaii school system should have their funds transferred to state funds. As far as I have seen so far having the state control our funds makes it harder on students to afford the school. I think by having the state be in charge of our funds it will be harder to have events at our campus. This bill is not right. NO NO NO NO!!!

From: Jenn Hoffman [jennifer_hoffman@notes.k12.hi.us]
Sent: Friday, February 11, 2011 7:52 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Jenn Hoffman
Ma'ohaka Way
Ewa Beach, HI 96706

LATE TESTIMONY

Email: WAMTestimony@Capitol.hawaii.gov

February 8, 2010

Committee on Way and Means
Senator David Ige, Chair
Senator Michelle Kidani, Vice Chair

**Re: Hearing on Senate Bill 120
Thursday, February 10, 2011 at 9:00 A.M.
Conference Room 211**

Dear Chair Ige, Vice Chair Kidani, and Committee members:

I am a volunteer with the American Cancer Society on Maui and *strongly oppose* SB 120 which would repeal cigarette tax in 2006 funds.

The Cancer Research Special Fund supports the Cancer Research Center which is needed in Hawaii to provide cutting edge research in our battle with cancer, and jobs for our bright, young scientists. This special fund is important for our cancer patients to participate in Hawaii based clinical trials without going to the Mainland.

SB120 eliminates the Hawaii Tobacco Settlement Special Fund important to people. Millions of dollars have been allocated to the Department of Health, to our Medical School, and to non-profit organizations statewide that provide smoking prevention and cessation services. These programs have been successful – as is evident from the how low our smoking rate is currently.

Losing our Cancer Research Special Fund funds will dramatically increase health care cost, while and place additional burden on patients and families forced to go to the Mainland to participate in clinical trials, provide they are open to them.

Losing the source of our tobacco control funding will eliminate prevention and cessation programs here; resulting in increasing smoking rates, more cancer, more health attacks-more people dying.

In closing, I ask that you delete the repeal of the Cancer Research Special Fund, and the Hawaii Tobacco Settlement Special Fund from SB120.

Sincerely yours,
Cheryl K. Okuma (Maui Volunteer)

From: Alvin Wong [anwprods@hotmail.com]
Sent: Friday, February 11, 2011 9:44 PM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Alvin Wong
1163 Hooli Circle
1163 Hooli Circle
Pearl City, HI 96782

From: Joan Loke [catnap@hawaii.rr.com]
Sent: Saturday, February 12, 2011 10:26 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Joan Loke
5090 Likini St. #1103E
Honolulu, HI 96818-2393

From: Ken Akinaka [kenakinaka@gmail.com]
Sent: Sunday, February 13, 2011 3:33 AM
To: WAM Testimony
Subject: Strong Opposition to SB 120 Section 120; Keep Funding for Tobacco Prevention

Dear Chair Ige, Vice Chair Kidani, and Members of the Senate Ways and Means Committee

Thank you for the opportunity to testify in strong opposition to SB 120. I am concerned primarily about section 120, which will eliminate the Tobacco Settlement Special Fund and new funds for tobacco prevention efforts. The Tobacco Settlement funds were intended to prevent and reduce tobacco use.

Our efforts to keep kids tobacco-free and help smokers quit are working. Youth smoking rates have dropped from 25% to just above 11%. And adult smoking rates have dropped from 21.2% in 2002 to 15.4% in 2009.

But we can't rest. We cannot balance the State budget on the backs of our children and the next generation's health. We can't afford the hundreds and millions of dollars that smoking will cost our State in the future if programs are eliminated.

And those who smoke need critical programs that help them quit. Last year, more than half of Hawaii smokers tried to quit. And almost 90% indicate they want to quit. Let's make sure they can get the help they need to fight nicotine addiction.

When other states including California and Massachusetts have cut funding for tobacco prevention programs, progress has reversed. All that stands between our children and the tobacco industry is our prevention efforts. The tobacco industry spends \$42 million dollars every year to find youth "replacement smokers" and future consumers. We need funding to fight to keep our youth tobacco-free.

Please do not pass this measure out of Committee. Please keep funding for Tobacco Prevention and Control.

Thank you for the opportunity to share my testimony in opposition to SB 120 Section 120 with you.

Please hold this measure in Committee.

Ken Akinaka
3254 Olu St.
Honolulu, HI 96816