
A BILL FOR AN ACT

RELATING TO CAPITAL IMPROVEMENT PROJECTS.

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

1 **PART I. GENERAL PROVISIONS**

2 SECTION 1. SHORT TITLE. This Act shall be known and may
3 be cited as the General Improvements Act of 2019.

4 SECTION 2. DEFINITIONS. Unless otherwise clear from the
5 context, as used in this Act:

6 "Expending agency" means the executive department,
7 independent commission, bureau, office, board, or other
8 establishment of the state government (other than the
9 legislature, office of Hawaiian affairs, and judiciary), the
10 political subdivisions of the State, or any quasi-public
11 institution supported in whole or in part by state funds, which
12 is authorized to expend specified appropriations made by this
13 Act.

14 Abbreviations, where used to denote the expending agency,
15 shall mean the following:

16 AGR Department of agriculture

17 AGS Department of accounting and general services



- 1 ATG Department of the attorney general
- 2 BED Department of business, economic development, and
- 3 tourism
- 4 BUF Department of budget and finance
- 5 CCA Department of commerce and consumer affairs
- 6 DEF Department of defense
- 7 EDN Department of education
- 8 GOV Office of the governor
- 9 HHL Department of Hawaiian home lands
- 10 HMS Department of human services
- 11 HRD Department of human resources development
- 12 HTH Department of health
- 13 LBR Department of labor and industrial relations
- 14 LNR Department of land and natural resources
- 15 LTG Office of the lieutenant governor
- 16 PSD Department of public safety
- 17 SUB Subsidies
- 18 TAX Department of taxation
- 19 TRN Department of transportation
- 20 UOH University of Hawaii
- 21 CCH City and county of Honolulu
- 22 COH County of Hawaii



1 COK County of Kauai

2 COM County of Maui

3 "Means of financing" or "MOF" means the source from which
4 funds are appropriated or authorized to be expended for the
5 programs and projects specified in this Act. All appropriations
6 are followed by letter symbols. The letter symbols, where used,
7 shall have the following meanings:

8 A General funds

9 B Special funds

10 C General obligation bond fund

11 D General obligation bond fund with debt service cost to
12 be paid from special funds

13 E Revenue bond funds

14 J Federal aid interstate funds

15 K Federal aid primary funds

16 L Federal aid secondary funds

17 M Federal aid urban funds

18 N Federal funds

19 P Other federal funds

20 R Private contributions

21 S County funds

22 T Trust funds



1 U Interdepartmental transfers

2 W Revolving funds

3 X Other funds

4 "Program ID" means the unique identifier for the specific
5 program and consists of the abbreviation for the organization
6 responsible for carrying out the program followed by the
7 organization number for the program.

8 **PART II. PROGRAM APPROPRIATIONS**

9 SECTION 3. APPROPRIATIONS. The following sums, or so much
10 thereof as may be sufficient to accomplish the purposes and
11 programs designated herein, are hereby appropriated or
12 authorized, as the case may be, from the means of financing
13 specified to the expending agencies designated for the fiscal
14 biennium beginning July 1, 2019, and ending June 30, 2021. The
15 total expenditures and the number of positions in each fiscal
16 year of the biennium shall not exceed the sums and the position
17 ceilings indicated for each fiscal year, except as provided
18 elsewhere in this Act or as provided by general law.



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	A.	ECONOMIC DEVELOPMENT					
2	1.	AGR122 - PLANT PEST AND DISEASE CONTROL					
3		INVESTMENT CAPITAL	AGR		C		C
4							
5	2.	AGR131 - RABIES QUARANTINE					
6		INVESTMENT CAPITAL	AGS		C		C
7							
8	3.	LNR172 - FORESTRY - RESOURCE MANAGEMENT AND DEVELOPMENT					
9		INVESTMENT CAPITAL	LNR				C
10							
11	4.	AGR141 - AGRICULTURAL RESOURCE MANAGEMENT					
12		INVESTMENT CAPITAL	AGR		C		C
13							
14	5.	AGR161 - AGRIBUSINESS DEVELOPMENT AND RESEARCH					
15		INVESTMENT CAPITAL	AGR		C		C
16							
17	6.	AGR192 - GENERAL ADMINISTRATION FOR AGRICULTURE					
18		INVESTMENT CAPITAL	AGR		B		B
19			AGR		C		C
20			AGS		C		C
21							
22	7.	LNR141 - WATER AND LAND DEVELOPMENT					
23		INVESTMENT CAPITAL	LNR		C		C
24							
25	8.	BED150 - HAWAII COMMUNITY DEVELOPMENT AUTHORITY					
26		INVESTMENT CAPITAL	BED		C		C
27							
28	9.	BED160 - HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION					
29		INVESTMENT CAPITAL	BED		C		C
30							



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F

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B.	EMPLOYMENT						
1.	LBR903 - OFFICE OF COMMUNITY SERVICES						
	INVESTMENT CAPITAL		LBR		C		C
2.	HMS802 - VOCATIONAL REHABILITATION						
	INVESTMENT CAPITAL		HMS		C		C



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	C.	TRANSPORTATION FACILITIES					
2	1.	TRN102 - HONOLULU INTERNATIONAL AIRPORT					
3		INVESTMENT CAPITAL	TRN	B			B
4			TRN	E			E
5			TRN	N			N
6			TRN	X			X
7							
8	2.	TRN104 - GENERAL AVIATION					
9		INVESTMENT CAPITAL	TRN	E			E
10							
11	3.	TRN111 - HILO INTERNATIONAL AIRPORT					
12		INVESTMENT CAPITAL	TRN	E			E
13			TRN	N			N
14							
15	4.	TRN114 - KONA INTERNATIONAL AIRPORT AT KEAHOLE					
16		INVESTMENT CAPITAL	TRN	B			B
17			TRN	E			E
18			TRN	N			N
19							
20	5.	TRN116 - WAIMEA-KOHALA AIRPORT					
21		INVESTMENT CAPITAL	TRN	B			B
22							
23	6.	TRN118 - UPOLU AIRPORT					
24		INVESTMENT CAPITAL	TRN	E			E
25							
26	7.	TRN131 - KAHULUI AIRPORT					
27		INVESTMENT CAPITAL	TRN	E			E
28							
29	8.	TRN133 - HANA AIRPORT					
30		INVESTMENT CAPITAL	TRN	E			E
31							
32	9.	TRN135 - KAPALUA AIRPORT					
33		INVESTMENT CAPITAL	TRN	E			E
34							
35	10.	TRN141 - MOLOKAI AIRPORT					
36		INVESTMENT CAPITAL	TRN	E			E
37							
38	11.	TRN143 - KALAUPAPA AIRPORT					
39		INVESTMENT CAPITAL	TRN	E			E
40							
41	12.	TRN151 - LANAI AIRPORT					
42		INVESTMENT CAPITAL	TRN	E			E



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
13.	TRN161	LIHUE AIRPORT INVESTMENT CAPITAL	TRN		B		B
			TRN		E		E
			TRN		X		X
14.	TRN163	PORT ALLEN AIRPORT INVESTMENT CAPITAL	TRN		E		E
15.	TRN195	AIRPORTS ADMINISTRATION INVESTMENT CAPITAL	TRN		B		B
			TRN		E		E
			TRN		N		N
			TRN		X		X
16.	TRN301	HONOLULU HARBOR INVESTMENT CAPITAL	TRN		B		B
			TRN		E		E
17.	TRN303	KALAELOA BARBERS POINT HARBOR INVESTMENT CAPITAL	TRN		B		B
18.	TRN311	HILO HARBOR INVESTMENT CAPITAL	TRN		B		B
19.	TRN313	KAWAIHAE HARBOR INVESTMENT CAPITAL	TRN		B		B
20.	TRN331	KAHULUI HARBOR INVESTMENT CAPITAL	TRN		B		B
21.	TRN341	KAUNAKAKAI HARBOR INVESTMENT CAPITAL	TRN		B		B
22.	TRN361	NAWILIWILI HARBOR INVESTMENT CAPITAL	TRN		B		B
			TRN		E		E
23.	TRN363	PORT ALLEN HARBOR INVESTMENT CAPITAL	TRN		B		B
24.	TRN351	KAUMALAPAU HARBOR					

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1		INVESTMENT CAPITAL	TRN		B		B
2							
3	25.	TRN395 - HARBORS ADMINISTRATION					
4		INVESTMENT CAPITAL	TRN		B		B
5			TRN		E		E
6			TRN		P		P
7							
8	26.	TRN333 - HANA HARBOR					
9		INVESTMENT CAPITAL	TRN		B		B
10			TRN		E		E
11							
12	27.	TRN501 - OAHU HIGHWAYS					
13		INVESTMENT CAPITAL	TRN		C		C
14			TRN		E		E
15			TRN		N		N
16							
17	28.	TRN511 - HAWAII HIGHWAYS					
18		INVESTMENT CAPITAL	TRN		E		E
19			TRN		N		N
20							
21	29.	TRN531 - MAUI HIGHWAYS					
22		INVESTMENT CAPITAL	TRN		E		E
23			TRN		N		N
24							
25	30.	TRN561 - KAUAI HIGHWAYS					
26		INVESTMENT CAPITAL	TRN		E		E
27			TRN		N		N
28							
29	31.	TRN595 - HIGHWAYS ADMINISTRATION					
30		INVESTMENT CAPITAL	TRN		B		B
31			TRN		E		E
32			TRN		N		N
33							
34	32.	TRN597 - HIGHWAY SAFETY					
35		INVESTMENT CAPITAL	TRN		B		B
36							
37	33.	TRN995 - GENERAL ADMINISTRATION					
38		INVESTMENT CAPITAL	TRN		B		B
39							
40	34.	TRN695 - ALOHA TOWER DEVELOPMENT CORPORATION					
41		INVESTMENT CAPITAL	TRN		B		1
42							



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F

1	D.	ENVIRONMENTAL PROTECTION					
2	1.	HTH840 - ENVIRONMENTAL MANAGEMENT					
3		INVESTMENT CAPITAL	HTH	C			C
4			HTH	N			N
5							
6	2.	LNR402 - NATIVE RESOURCES AND FIRE PROTECTION PROGRAM					
7		INVESTMENT CAPITAL	LNR	C			C
8							
9							
10	3.	LNR407 - NATURAL AREA RESERVES AND WATERSHED MANAGEMENT					
11		INVESTMENT CAPITAL	LNR	C			C
12							
13	4.	LNR906 - LNR - NATURAL AND PHYSICAL ENVIRONMENT					
14		INVESTMENT CAPITAL	LNR	C			C
15							
16							



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
E. HEALTH							
1.	HTH211	KAHUKU HOSPITAL INVESTMENT CAPITAL	HTH	C			C
2.	HTH212	HAWAII HEALTH SYSTEMS CORPORATION - INVESTMENT CAPITAL	HTH	C			C
3.	HTH214	MAUI HEALTH SYSTEM, KFH LLC INVESTMENT CAPITAL	HTH	C			C
4.	HTH430	ADULT MENTAL HEALTH - INPATIENT INVESTMENT CAPITAL	AGS	C			C
5.	HTH440	ALCOHOL AND DRUG ABUSE INVESTMENT CAPITAL	HTH	C			C
6.	HTH907	GENERAL ADMINISTRATION INVESTMENT CAPITAL	AGS HTH	C C			C C
7.	DEF112	SERVICES TO VETERANS INVESTMENT CAPITAL	DEF	C			C
8.	HMS220	RENTAL HOUSING SERVICES INVESTMENT CAPITAL	HMS	C			C
9.	HMS229	HPHA ADMINISTRATION INVESTMENT CAPITAL	HMS	C			C
10.	HHL602	PLANNING AND DEVELOPMENT FOR HAWAIIAN HOMESTEADS INVESTMENT CAPITAL	AGR HHL HHL	C C N			C C N

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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F

1 F. SOCIAL SERVICES
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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	G.	FORMAL EDUCATION					
2	1.	EDN100 - SCHOOL-BASED BUDGETING					
3		INVESTMENT CAPITAL	EDN		C		C
4							
5	2.	EDN400 - SCHOOL SUPPORT					
6		INVESTMENT CAPITAL	EDN		A		A
7							
8	3.	EDN600 - CHARTER SCHOOLS					
9		INVESTMENT CAPITAL	EDN		C		C
10							
11	4.	EDN407 - PUBLIC LIBRARIES					
12		INVESTMENT CAPITAL	AGS		C		C
13							
14	5.	DEF114 - HAWAII NATIONAL GUARD YOUTH CHALLENGE ACADEMY					
15		INVESTMENT CAPITAL	DEF		C		C
16							
17	6.	UOH100 - UNIVERSITY OF HAWAII, MANOA					
18		INVESTMENT CAPITAL	UOH		C		C
19							
20	7.	UOH210 - UNIVERSITY OF HAWAII, HILO					
21		INVESTMENT CAPITAL	UOH		C		C
22							
23	8.	UOH700 - UNIVERSITY OF HAWAII, WEST OAHU					
24		INVESTMENT CAPITAL	UOH		C		C
25							
26	9.	UOH800 - UNIVERSITY OF HAWAII, COMMUNITY COLLEGES					
27		INVESTMENT CAPITAL	UOH		C		C
28			UOH		R		R
29							
30	10.	UOH900 - UNIVERSITY OF HAWAII, SYSTEMWIDE SUPPORT					
31		INVESTMENT CAPITAL	AGR		C		C
32			UOH		C		C
33							
34							



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	H.	CULTURE AND RECREATION					
2	1.	AGS881 - STATE FOUNDATION ON CULTURE AND THE ARTS					
3		INVESTMENT CAPITAL	AGS		C		C
4							
5	2.	LNR804 - FOREST AND OUTDOOR RECREATION					
6		INVESTMENT CAPITAL	LNR		C		C
7							
8	3.	LNR806 - PARKS ADMINISTRATION AND OPERATION					
9		INVESTMENT CAPITAL	LNR		C		C
10			LNR		N		N
11							
12	4.	LNR801 - OCEAN-BASED RECREATION					
13		INVESTMENT CAPITAL	LNR		C		C
14			LNR		N		N
15							
16	5.	AGS889 - SPECTATOR EVENTS AND SHOWS - ALOHA STADIUM					
17		INVESTMENT CAPITAL	AGS		C		C
18							
19							



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1		I. PUBLIC SAFETY					
2		1. PSD900 - GENERAL ADMINISTRATION					
3		INVESTMENT CAPITAL	AGS		C		C
4							
5		2. DEF110 - AMELIORATION OF PHYSICAL DISASTERS					
6		INVESTMENT CAPITAL	AGS		C		C
7			DEF		C		C
8			TRN		C		C
9			AGS		N		N
10			DEF		P		P
11							
12							



PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F

1 J. INDIVIDUAL RIGHTS
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PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
1	K.	GOVERNMENT-WIDE SUPPORT					
2	1.	BED144 - STATEWIDE PLANNING AND COORDINATION					
3		INVESTMENT CAPITAL	BED		C		C
4							
5	2.	TAX107 - SUPPORTING SERVICES - REVENUE COLLECTION					
6		INVESTMENT CAPITAL	TAX		C		C
7							
8	3.	AGS130 - ENTERPRISE TECHNOLOGY SERVICES - GOVERNANCE AND INNOVATION					
9		INVESTMENT CAPITAL	AGS		C		C
10							
11	4.	AGS131 - ENTERPRISE TECHNOLOGY SERVICES - OPERATIONS AND					
12		INFRASTRUCTURE MAINTENANCE					
13		INVESTMENT CAPITAL	AGS		C		C
14							
15	5.	LNR101 - PUBLIC LANDS MANAGEMENT					
16		INVESTMENT CAPITAL	LNR		C		C
17			LNR		R		R
18			LNR		T		T
19							
20	6.	AGS221 - PUBLIC WORKS - PLANNING, DESIGN, AND CONSTRUCTION					
21		INVESTMENT CAPITAL	AGS		A		A
22			AGS		C		C
23							
24	7.	SUB201 - CITY AND COUNTY OF HONOLULU					
25		INVESTMENT CAPITAL	CCH		C		C
26			TRN		C		C
27							
28	8.	SUB401 - COUNTY OF MAUI					
29		INVESTMENT CAPITAL	COM		C		C
30			COM		S		S
31							
32	9.	SUB501 - COUNTY OF KAUAI					
33		INVESTMENT CAPITAL	COK		C		C
34							
35							
36							



1 **PART III. CAPITAL IMPROVEMENT PROJECTS**

2 SECTION 4. CAPITAL IMPROVEMENT PROJECTS AUTHORIZED. The
3 sums appropriated or authorized in part II of this Act for
4 capital improvements shall be expended for the projects listed
5 below. Accounting of the appropriations by the department of
6 accounting and general services shall be based on the projects
7 as the projects are listed in this section. Several related or
8 similar projects may be combined into a single project if the
9 combination is advantageous or convenient for implementation;
10 provided that the total cost of the projects thus combined shall
11 not exceed the total of the sum specified for the projects
12 separately. (The amount after each cost element and the total
13 funding for each project listed in this part are in thousands of
14 dollars).



CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F

- 1 A. ECONOMIC DEVELOPMENT
- 2
- 3 B. EMPLOYMENT
- 4
- 5 C. TRANSPORTATION FACILITIES
- 6
- 7 D. ENVIRONMENTAL PROTECTION
- 8
- 9 E. HEALTH
- 10
- 11 F. SOCIAL SERVICES
- 12
- 13 G. FORMAL EDUCATION
- 14
- 15 H. CULTURE AND RECREATION
- 16
- 17 I. PUBLIC SAFETY
- 18
- 19 J. INDIVIDUAL RIGHTS
- 20
- 21 K. GOVERNMENT-WIDE SUPPORT
- 22



1 PART IV. CAPITAL IMPROVEMENT PROGRAM PROVISIONS

2 SECTION 5.

3



1 **PART V. ISSUANCE OF BONDS**

2 SECTION 6. AIRPORT REVENUE BONDS. The department of
3 transportation may issue airport revenue bonds for airport
4 capital improvement projects authorized in part II and listed in
5 part III of this Act and designated to be financed by revenue
6 bond funds or by general obligation bond funds with debt service
7 cost to be paid from special funds, in a principal amount as
8 shall be required to yield the amounts appropriated for the
9 capital improvement projects, and, if so determined by the
10 department and approved by the governor, any additional
11 principal amount as may be necessary by the department to pay
12 interest on the airport revenue bonds during the estimated
13 period of construction of the capital improvement projects for
14 which the airport revenue bonds are issued, to establish,
15 maintain, or increase reserves for the airport revenue bonds and
16 to pay the expenses of issuance of the bonds. The airport
17 revenue bonds shall be issued pursuant to the provisions of part
18 III of chapter 39, Hawaii Revised Statutes, as amended. The
19 principal of and interest on airport revenue bonds, to the
20 extent not paid from the proceeds of the bonds, shall be payable
21 solely from and secured solely by the revenues from airports and



1 related facilities under the ownership of the State or operated
2 and managed by the department and the aviation fuel taxes levied
3 and paid pursuant to sections 243-4(a)(2) and 248-8, Hawaii
4 Revised Statutes, or the parts of either thereof as the
5 department may determine, including rents, landing fees, and
6 other fees or charges presently or hereafter derived from or
7 arising through the ownership, operation, and management of
8 airports and related facilities and the furnishing and supplying
9 of the services thereof, and passenger facility charges pursuant
10 to section 261-5.5, Hawaii Revised Statutes, as amended, as
11 determined by the department. The expenses of the issuance of
12 the airport revenue bonds, to the extent not paid from the
13 proceeds of the bonds, shall be paid from the airport revenue
14 fund and passenger facility charge special fund as determined by
15 the department.

16 The governor, in the governor's discretion, may use the
17 airport revenue fund and passenger facility charge special fund
18 to finance those projects authorized in part II and listed in
19 part III of this Act where the method of financing is designated
20 to be by airport revenue bond funds; provided that the governor
21 shall submit a report to the legislature of all uses of this



1 authority for the previous twelve month period from December 1
2 to November 30 no later than thirty days prior to the convening
3 of regular sessions 2020 and 2021.

4 SECTION 7. RENTAL MOTOR VEHICLE CUSTOMER FACILITY REVENUE
5 BONDS. The department of transportation may issue rental motor
6 vehicle customer facility revenue bonds for airport capital
7 improvement projects relating to consolidated rental car
8 facilities authorized in part II and listed in part III of this
9 Act and designated to be financed by revenue bond funds with
10 debt service cost to be paid from the rental motor vehicle
11 customer facility charge special funds, as authorized by section
12 261-5.6, Hawaii Revised Statutes, in a principal amount as shall
13 be required to yield the amounts appropriated for the capital
14 improvement projects, and, if so determined by the department
15 and approved by the governor, any additional principal amount as
16 may be necessary by the department to pay interest on the rental
17 motor vehicle customer facility revenue bonds during the
18 estimated period of construction of the capital improvement
19 projects for which the rental motor vehicle customer facility
20 revenue bonds are issued, to establish, maintain, or increase
21 reserves for the rental motor vehicle customer facility revenue



1 bonds and to pay the expenses of issuance of the bonds. The
2 rental motor vehicle customer facility revenue bonds shall be
3 issued pursuant to the provisions of part III of chapter 39,
4 Hawaii Revised Statutes, as amended. The principal of and
5 interest on rental motor vehicle customer facility revenue
6 bonds, to the extent not paid from the proceeds of the bonds,
7 shall be payable solely from and secured solely by the revenues
8 from the rental motor vehicle surcharge tax and the rental motor
9 vehicle customer facility charge special fund pursuant to
10 section 261-5.6, Hawaii Revised Statutes, as amended, as
11 determined by the department. The expenses of the issuance of
12 the rental motor vehicle customer facility revenue bonds, to the
13 extent not paid from the proceeds of the bonds, shall be paid
14 from the rental motor vehicle customer facility charge special
15 fund as determined by the department.

16 The governor, in the governor's discretion, may use the
17 rental motor vehicle customer facility charge special fund to
18 finance those projects authorized in part II and listed in part
19 III of this Act where the method of financing is designated to
20 be by rental motor vehicle customer facility revenue bond funds;
21 provided that the governor shall submit a report to the



1 legislature of all uses of this authority for the previous
2 twelve month period from December 1 to November 30 no later than
3 thirty days prior to the convening of the regular sessions of
4 2020 and 2021.

5 SECTION 8. HARBOR REVENUE BONDS. The department of
6 transportation may issue harbor revenue bonds for harbor capital
7 improvement projects authorized in part II and listed in part
8 III of this Act and designated to be financed by revenue bond
9 funds or by general obligation bond funds with debt service cost
10 to be paid from special funds, in a principal amount as shall be
11 required to yield the amounts appropriated for the capital
12 improvement projects, and, if so determined by the department
13 and approved by the governor, any additional principal amount as
14 may be deemed necessary by the department to pay interest on the
15 revenue bonds during the estimated construction period of the
16 capital improvement projects for which the harbor revenue bonds
17 are issued to establish, maintain, or increase reserves for the
18 harbor revenue bonds or harbor revenue bonds heretofore
19 authorized (whether authorized and issued or authorized and
20 still unissued), and to pay the expenses of issuance of the
21 bonds. The harbor revenue bonds shall be issued pursuant to the



1 provisions of part III of chapter 39, Hawaii Revised Statutes,
2 as amended. The principal of and interest on harbor revenue
3 bonds, to the extent not paid from the proceeds of the bonds,
4 shall be payable solely from and secured solely by the revenues
5 derived from harbors and related facilities under the ownership
6 of the State or operated and managed by the department,
7 including rents, mooring, wharfage, dockage, pilotage fees, and
8 other fees or charges presently or hereafter derived from or
9 arising through the ownership, operation, and management of
10 harbor and related facilities and the furnishing and supplying
11 of the services thereof. The expenses of the issuance of the
12 harbor revenue bonds, to the extent not paid from the proceeds
13 of the bonds, shall be paid from the harbor special fund.

14 The governor, in the governor's discretion, may use the
15 harbor revenue fund to finance those projects authorized in part
16 II and listed in part III of this Act where the method of
17 financing is designated to be by harbor revenue bond funds;
18 provided that the governor shall submit a report to the
19 legislature of all uses of this authority for the previous
20 twelve month period from December 1 to November 30 no later than



1 thirty days prior to the convening of the regular sessions of
2 2020 and 2021.

3 SECTION 9. HIGHWAY REVENUE BONDS. The department of
4 transportation may issue highway revenue bonds for highway
5 capital improvement projects authorized in part II and listed in
6 part III of this Act and designated to be financed by revenue
7 bond funds or by general obligation bond funds with the debt
8 service cost to be paid from special funds, in a principal
9 amount as shall be required to yield the amounts appropriated
10 for the capital improvement projects, and, if so determined by
11 the department and approved by the governor, any additional
12 principal amount as may be deemed necessary by the department to
13 pay interest on the highway revenue bonds during the estimated
14 period of construction of the capital improvement projects for
15 which the highway revenue bonds are issued, to establish,
16 maintain, or increase reserves for the highway revenue bonds or
17 highway revenue bonds heretofore authorized (whether authorized
18 and issued or authorized and still unissued), and to pay all or
19 any part of the expenses related to the issuance of the highway
20 revenue bonds. The highway revenue bonds shall be issued
21 pursuant to the provisions of part III of chapter 39, Hawaii



1 Revised Statutes, as amended. The principal of and interest on
2 the highway revenue bonds, to the extent not paid from the
3 proceeds of the highway revenue bonds, shall be payable from and
4 secured by the revenues derived from highways and related
5 facilities under the ownership of the State or operated and
6 managed by the department; from the highway fuel taxes, vehicle
7 weight taxes, and vehicle registration fees levied and paid
8 pursuant to sections 243-4, 248-8, 249-31, and 249-33, Hawaii
9 Revised Statutes; from federal moneys received by the State or
10 any department thereof that are available to pay principal of or
11 interest on indebtedness of the State, or the part of any
12 thereof as the department may determine; and from other user
13 taxes, fees, or charges currently or hereafter derived from or
14 arising through the ownership, operation, and management of
15 highways and related facilities and the furnishing and supplying
16 of the services thereof. The expenses related to the issuance
17 of the highway revenue bonds, to the extent not paid from the
18 proceeds of the bonds, shall be paid from the state highway
19 fund.

20 The governor, in the governor's discretion, may use the
21 state highway fund to finance those projects authorized in part



1 II and listed in part III of this Act where the method of
2 financing is designated to be by highway revenue bond funds;
3 provided that the governor shall submit a report to the
4 legislature of all uses of this authority for the previous
5 twelve month period from December 1 to November 30 no later than
6 thirty days prior to the convening of the regular sessions of
7 2020 and 2021.

8 **PART VI. SPECIAL PROVISIONS**

9 SECTION 10. GOVERNOR'S DISCRETIONARY POWERS. Any law or
10 provision to the contrary notwithstanding, the governor may
11 replace general obligation bond funds appropriated for capital
12 improvement projects with general obligation reimbursable bond
13 funds, when the expenditure of the general obligation
14 reimbursable bond funds is deemed appropriate for the project;
15 provided that the governor shall submit a report to the
16 legislature of all uses of this authority for the previous
17 twelve month period from December 1 to November 30 no later than
18 thirty days prior to the convening of the regular sessions of
19 2020 and 2021.

20 SECTION 11. All general obligation bond funds used for a
21 public undertaking, improvement, or system designated by the



1 letter (D) shall have the bond principal and interest reimbursed
2 from the special fund in which the net revenue, net user tax
3 receipts, or combination of both of the public undertaking,
4 improvement, or system are deposited or credited. Bonds issued
5 for irrigation and housing projects shall be reimbursed as
6 provided by section 174-21 and chapter 201H, Hawaii Revised
7 Statutes, respectively.

8 The governor, in the governor's discretion, may use the
9 state highway fund, the harbor special fund, the boating special
10 fund, the airport revenue fund, the special land and development
11 fund, or other appropriate special funds to finance the
12 respective public undertaking, improvement, or system described
13 above and authorized in this Act, where the method of financing
14 is designated to be general obligation bond fund with debt
15 service cost to be paid from the funds; provided that the
16 governor shall submit a report to the legislature of all uses of
17 this authority for the previous twelve month period from
18 December 1 to November 30 no later than thirty days prior to the
19 convening of the regular sessions of 2020 and 2021.

20 SECTION 12. If the authorized appropriations specified for
21 capital improvement projects listed in this Act are insufficient



1 and where the source of funding is designated as special funds,
2 general obligation bond fund with debt service cost to be paid
3 from special funds, revenue bond funds, or revolving funds, the
4 governor may make supplemental allotments from the special fund
5 or revolving fund responsible for cash or debt service payments
6 for the projects or transfer unrequired balances from other
7 unexpired projects in this Act or prior appropriation acts that
8 authorized the use of special funds, general obligation bond
9 fund with debt service costs to be paid from special funds,
10 revenue bond funds, or revolving funds; provided that the
11 supplemental allotments shall not be used to increase the scope
12 of the project; provided further that the supplemental
13 allotments shall not impair the ability of the fund to meet the
14 purposes for which it was established; provided further that the
15 governor shall submit a report to the legislature of all uses of
16 this authority for the previous twelve month period from
17 December 1 to November 30 no later than thirty days prior to the
18 convening of the regular sessions of 2020 and 2021.

19 SECTION 13. If the authorized appropriations specified for
20 capital improvement projects listed in this Act are insufficient
21 and where the source of funding is designated as airport



1 passenger facility charge funds, the governor may make
2 supplemental allotments from the airport revenue fund or airport
3 revenue bond funds, or transfer unrequired balances from other
4 unlapsed projects in this Act or prior appropriation acts that
5 authorized the use of airport passenger facility charge funds;
6 provided that the supplemental allotments shall not be used to
7 increase the scope of the project; provided further that the
8 supplemental allotments shall not impair the ability of the fund
9 to meet the purposes for which it was established; provided
10 further that the governor, at the governor's discretion, may
11 increase the passenger facility charge fund authorization
12 ceiling for the program to accommodate the expenditure of the
13 funds; provided further that the governor shall submit a report
14 to the legislature of all uses of this authority for the
15 previous twelve month period from December 1 to November 30 no
16 later than thirty days prior to the convening of the regular
17 sessions of 2020 and 2021.

18 SECTION 14. The governor may supplement funds for any cost
19 element for capital improvement projects authorized under this
20 Act by transferring sums as may be needed from the funds
21 appropriated for other cost elements of the same project by this



1 Act or any other prior or future act that has not lapsed;
2 provided that the total expenditure of funds for all cost
3 elements shall not exceed the total appropriations for that
4 project; provided further that the governor shall submit a
5 report to the legislature of all uses of this authority for the
6 previous twelve month period from December 1 to November 30 no
7 later than thirty days prior to the convening of the regular
8 sessions of 2020 and 2021.

9 SECTION 15. After the objectives and purposes of
10 appropriations made in this Act from the general obligation bond
11 fund for capital improvement projects have been met, unrequired
12 balances, except those from university of Hawaii projects, shall
13 be transferred to the project adjustment fund appropriated in
14 part II and described in part III of this Act, and shall be
15 considered a supplementary appropriation thereto; provided that
16 all other unrequired allotment balances, unrequired
17 appropriation balances, and unrequired encumbrance balances
18 shall lapse as of June 30, 2022, as provided in section 20 of
19 this Act; provided further that the governor shall submit a
20 report to the legislature of all uses of this authority for the
21 previous twelve month period from December 1 to November 30 no



1 later than thirty days prior to the convening of the regular
2 sessions of 2020 and 2021.

3 SECTION 16. If authorized appropriations specified for
4 capital improvement projects listed in this Act or in any other
5 act currently authorized by the legislature are insufficient,
6 and where the source of funding for the project is designated as
7 general obligation bond funds, the governor may make
8 supplemental allotments from the project adjustment fund
9 appropriated in part II and described in part III of this Act to
10 supplement any currently authorized capital investment cost
11 elements; provided that the supplemental allotments from the
12 project adjustment fund shall not be used to increase the scope
13 of the project; provided further that the governor shall submit
14 a report to the legislature of all uses of this authority for
15 the previous twelve month period from December 1 to November 30
16 no later than thirty days prior to the convening of the regular
17 sessions of 2020 and 2021.

18 SECTION 17. If currently authorized appropriations
19 specified for capital investment purposes listed in this Act or
20 in any other act currently authorized by the legislature are
21 insufficient, and where the source of funding for the project is



1 designated as the state educational facilities improvement
2 special fund, the governor may make supplemental allotments from
3 the special funded project adjustment fund for state educational
4 facilities; provided that the supplemental allotments from the
5 special funded project adjustment fund for state educational
6 facilities shall not be used to increase the scope of the
7 project and may only be made to supplement currently authorized
8 capital investment project cost elements; provided further that
9 the governor shall submit a report to the legislature of all
10 uses of this authority for the previous twelve month period from
11 December 1 to November 30 no later than thirty days prior to the
12 convening of the regular sessions of 2020 and 2021.

13 SECTION 18. After the objectives and purposes of
14 appropriations made in this Act from the general obligation bond
15 fund for capital improvement projects for the university of
16 Hawaii have been met, unrequired balances shall be transferred
17 to the university of Hawaii project adjustment fund appropriated
18 in part II and described in part III of this Act, and shall be
19 considered a supplementary appropriation thereto; provided that
20 the governor shall submit a report to the legislature of all
21 uses of this authority for the previous twelve month period from



1 December 1 to November 30 no later than thirty days prior to the
2 convening of the regular sessions of 2020 and 2021.

3 SECTION 19. If authorized appropriations specified for
4 university of Hawaii capital improvement projects listed in this
5 Act or in any other Act currently authorized by the legislature
6 are insufficient, and where the source of funding for the
7 project is designated as general obligation bond funds, the
8 governor may make supplemental allotments from the university of
9 Hawaii project adjustment fund appropriated in part II and
10 described in part III of this Act to supplement any currently
11 authorized capital investment cost elements; provided that the
12 supplemental allotments from the project adjustment fund shall
13 not be used to increase the scope of the project; provided
14 further that the governor shall submit a report to the
15 legislature of all uses of this authority for the previous
16 twelve month period from December 1 to November 30 no later than
17 thirty days prior to the convening of the regular sessions of
18 2020 and 2021.

19 SECTION 20. Any provision of this Act to the contrary
20 notwithstanding, the appropriations made for capital improvement
21 projects authorized under this Act shall not lapse at the end of



1 the fiscal biennium for which the appropriation is made;
2 provided that all appropriations made to be expended in fiscal
3 biennium 2019-2021 that are unencumbered as of June 30, 2022,
4 shall lapse as of that date; provided further that this lapsing
5 date shall not apply to:

6 (1) Appropriations for projects where the means of
7 financing is the state educational facilities
8 improvement special fund, where the appropriations
9 have been authorized for more than three years for the
10 construction or acquisition of public school
11 facilities; or

12 (2) Non-general fund appropriations for projects described
13 in part III of this Act where the appropriations have
14 been deemed necessary to qualify for federal aid
15 financing and reimbursement and are unencumbered as of
16 June 30, 2026, shall lapse as of that date.

17 SECTION 21. Where it has been determined that changed
18 conditions, such as a reduction in the particular population
19 being served, permit the reduction in the scope of a capital
20 improvement project described in this Act, the governor may
21 authorize a reduction of project scope; provided that the



1 governor shall submit a report to the legislature of all uses of
2 this authority for the previous twelve month period from
3 December 1 to November 30 no later than thirty days prior to the
4 convening of the regular sessions of 2020 and 2021.

5 SECTION 22. In releasing funds for capital improvement
6 projects, the governor shall consider legislative intent and the
7 objectives of the user agency and its programs; the scope and
8 level of the user agency's intended service; and the means,
9 efficiency, and economics by which the project will meet the
10 objectives of the user agency and the State; provided that
11 agencies responsible for construction shall take into
12 consideration legislative intent, the objectives of the user
13 agency and its programs, and the scope and level of the user
14 agency's intended service and construct the improvement to meet
15 the objectives of the user agency in the most efficient and
16 economical manner possible.

17 SECTION 23. With the approval of the governor, designated
18 expending agencies for capital improvement projects authorized
19 in this Act may delegate to other state or county agencies the
20 implementation of projects when it is determined advantageous to
21 do so by both the original expending agency and the agency to



1 which expending authority is to be delegated; provided that the
2 governor shall submit a report to the legislature of all uses of
3 this authority for the previous twelve month period from
4 December 1 to November 30 no later than thirty days prior to the
5 convening of the regular sessions of 2020 and 2021.

6 SECTION 24. Where county capital improvement projects are
7 partially or totally funded by state grants as authorized in
8 this Act or any other act of the legislature, this fact should
9 be appropriately acknowledged during construction and upon
10 completion of these projects.

11 SECTION 25. The governor may authorize the expenditure of
12 funds for capital improvement projects not previously authorized
13 in this Act to cope with the effects of natural disasters or
14 unforeseen emergencies when the effects of the natural disasters
15 or unforeseen emergencies create an urgent need to pursue a
16 course of action that is in the best interest of the State;
17 provided that no funds shall be expended without a formal
18 declaration of a natural disaster or emergency by the governor;
19 provided further that the governor shall use the project
20 adjustment fund authorized in part II and described in part III
21 to accomplish the purposes of this section; provided further



1 that the governor shall notify the legislature within five days
2 of each use of this authority and submit a report to the
3 legislature of all uses of this authority for the previous
4 twelve month period from December 1 to November 30 no later than
5 thirty days prior to the convening of the regular sessions of
6 2020 and 2021.

7 SECTION 26. Any provision in part IV of this Act to the
8 contrary notwithstanding, the governor may transfer savings or
9 unrequired balances as may be available from the appropriated
10 funds of any program in this Act to supplement the appropriation
11 for any other program in this Act to cope with the effects of
12 natural disasters or other unforeseen emergencies; provided that
13 the effects of natural disasters or emergencies create an urgent
14 need to pursue a course of action that is in the best interest
15 of the State; provided further that the use of the funds does
16 not conflict with general law; provided further that no funds
17 shall be expended without a formal declaration of a natural
18 disaster or emergency by the governor; provided further that the
19 governor shall submit a report to the legislature of all uses of
20 this authority for the previous twelve month period from



1 December 1 to November 30 no later than thirty days prior to the
2 convening of the regular sessions of 2020 and 2021.

3 SECTION 27. No appropriation authorized in this Act for
4 expenditure by a political subdivision of this State shall be
5 considered to be a mandate to undertake new programs or to
6 increase the level of services under existing programs of that
7 political subdivision. If any appropriation authorized in this
8 Act constitutes such a mandate within the provisions of section
9 5 of article VIII of the Hawaii State Constitution, the
10 authorization shall be void and, in the case of capital
11 improvement appropriations designated to be financed from the
12 general obligation bond fund, the total general obligation bonds
13 authorized for the projects shall be correspondingly decreased.

14 SECTION 28. Whenever the expending agency to which an
15 appropriation is made is changed due to legislation enacted
16 during any session of the legislature that affects the
17 appropriations made by this Act, the governor shall transfer the
18 necessary funds and positions to the proper expending agency as
19 provided by law.

20 SECTION 29. If the State should assume the direct
21 operation of any non-governmental agency receiving state funds



1 under the provisions of this Act, all related state funds shall
2 constitute a credit to the State against the costs of acquiring
3 all or any portion of the property, real, personal, or mixed, of
4 the non-governmental agency. This credit shall be applicable
5 regardless of when the acquisition takes place.

6 SECTION 30. If unanticipated federal funding cutbacks
7 diminish or curtail essential, federally funded state programs,
8 the governor may utilize savings as determined to be available
9 from other state programs for the purpose of maintaining the
10 programs until the next legislative session; provided that the
11 governor shall submit a report to the legislature of all uses of
12 this authority for the previous twelve month period from
13 December 1 to November 30 no later than thirty days prior to the
14 convening of the regular sessions of 2020 and 2021.

15 SECTION 31. The governor may approve the expenditure of
16 all federal funds that are in excess of levels authorized by the
17 legislature; provided that the governor may allow for an
18 increase in the appropriate federal fund authorization ceiling
19 for the program to accommodate the expenditure of the funds;
20 provided further that the governor shall notify the legislature
21 within five days of each use of this authority and submit a



1 report to the legislature of all uses of this authority for the
2 previous twelve month period from December 1 to November 30 no
3 later than thirty days prior to the convening of the regular
4 sessions of 2020 and 2021.

5 SECTION 32. Any provision of this Act to the contrary
6 notwithstanding, the governor may approve the extension of the
7 lapse dates for federal fund or other federal fund
8 appropriations and appropriations of other means of financing,
9 except general funds, deemed necessary to qualify for federal
10 aid financing or reimbursement, or both, provided in this Act or
11 authorized by the governor pursuant to section 6 of this Act as
12 necessary to meet the intent of the federal grant awards.

13 SECTION 33. Where an agency is authorized to secure funds
14 or other property from private organizations or individuals to
15 be expended or utilized in connection with any authorized
16 program, the agency, with the governor's approval, may enter
17 into the undertaking; provided that the provisions of the
18 undertaking comply with applicable state constitutional and
19 statutory requirements; provided further that the governor shall
20 submit a report to the legislature of all uses of this authority
21 for the previous twelve month period from December 1 to November



1 30 no later than thirty days prior to the convening of the
2 regular sessions of 2020 and 2021.

3 SECTION 34. Except as otherwise provided by general law,
4 negotiations for the purchase of land by state agencies shall be
5 subject to the approval of the governor and the department of
6 land and natural resources or other appropriate agency; provided
7 that private lands may be acquired for the purpose of exchange
8 for federal lands when the department of land and natural
9 resources and the governor determine that the acquisition and
10 exchange are necessary for the completion of any project
11 specifically authorized by this Act.

12 SECTION 35. With the approval of the governor, expending
13 agencies that use appropriations authorized in part II of this
14 Act for planning, land acquisition, design, construction, and
15 equipment for repair and alterations may delegate that
16 responsibility and transfer funds to public works - planning,
17 design, and construction (AGS221) for the implementation of the
18 repair and alterations when it is determined by the agencies
19 that it is advantageous to do so; provided that the governor
20 shall submit to the legislature a summary report of all uses of
21 this authority for the previous twelve month period from



1 December 1 to November 30 no later than thirty days prior to the
2 convening of the regular sessions of 2020 and 2021.

3 **PART VII. MISCELLANEOUS AND EFFECTIVE DATE**

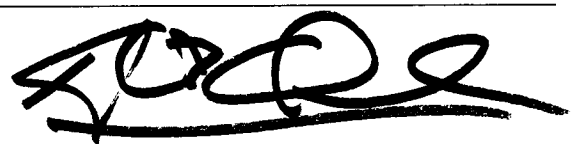
4 SECTION 36. If any portion of this Act or its application
5 to any person, entity, or circumstance is held to be invalid for
6 any reason, the legislature declares that the remainder of the
7 Act and each and every other provision thereof shall not be
8 affected thereby. If any portion of a specific appropriation is
9 held to be invalid for any reason, the remaining portion shall
10 be expended to fulfill the objective of the appropriation to the
11 extent possible.

12 SECTION 37. If manifest clerical, typographical, or other
13 mechanical errors are found in this Act, the governor is hereby
14 authorized to correct the errors.

15 SECTION 38. This Act shall take effect on July 1, 2019.

16

INTRODUCED, BY:

Sam


JAN 23 2019



H.B. NO. 1259

Report Title:

Capital Improvement Projects; Executive Branch

Description:

Appropriates capital improvement projects for fiscal biennium 2019-2021.

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

