
A BILL FOR AN ACT

RELATING TO FISCAL BIENNIUM 2019-2021 BUDGET REQUESTS FOR THE
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS.

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

1 **PART I. GENERAL PROVISIONS**

2 SECTION 1. The purpose of this Act is to establish
3 additional amounts to be appropriated or authorized and
4 additional positions in the operating budget for the fiscal
5 biennium beginning July 1, 2019, and ending June 30, 2021, for
6 certain state executive branch programs under the purview of the
7 house of representatives standing committee on consumer
8 protection and commerce.

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

11 "Expending agency" means the department of commerce and
12 consumer affairs.

13 Abbreviations, where used to denote the expending agency or
14 a house of representatives standing committee, shall mean the
15 following:

16 CCA Department of commerce and consumer affairs



1 CPC House of representatives standing committee on
 2 consumer protection and commerce
 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 B Special funds

9 "Position ceiling" means the maximum number of permanent
 10 and temporary full-time equivalent positions authorized for a
 11 particular program during a specified period or periods, as
 12 denoted by an asterisk for permanent full-time equivalent
 13 positions and a pound sign for temporary full-time equivalent
 14 positions.

15 "Program ID" means the unique identifier for the specific
 16 program and consists of the abbreviation for the organization
 17 responsible for carrying out the program followed by the
 18 organization number for the program.

19 **PART II. PROGRAM APPROPRIATIONS**

20 SECTION 3. APPROPRIATIONS. The following sums, or so much
 21 thereof as may be sufficient to accomplish the purposes and



1 programs designated herein, are hereby appropriated or
2 authorized, as the case may be, from the means of financing
3 specified to the expending agency designated for the fiscal
4 biennium beginning July 1, 2019, and ending June 30, 2021. The
5 total expenditures and the number of positions in each fiscal
6 year of the biennium shall not exceed the sums and the position
7 ceilings indicated for each fiscal year, except as provided
8 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		CPC - CONSUMER PROTECTION & COMMERCE					
2	1.	CCA103 - CONSUMER ADVOCATE FOR COMMUNICATION, UTILITIES, AND					
3		TRANSPORTATION SERVICES					
4				5.00*		5.00*	
5		OPERATING	CCA	292,000B		584,000B	
6							
7	2.	CCA107 - POST-SECONDARY EDUCATION AUTHORIZATION					
8		OPERATING	CCA	1,988B		1,988B	
9							
10	3.	CCA110 - OFFICE OF CONSUMER PROTECTION					
11		OPERATING	CCA	50,000B		50,000B	
12							
13	4.	CCA111 - BUSINESS REGISTRATION AND SECURITIES REGULATION					
14		OPERATING	CCA	148,597B		148,597B	
15							
16	5.	CCA112 - REGULATED INDUSTRIES COMPLAINTS OFFICE					
17		OPERATING	CCA	364,098B		64,098B	
18							
19	6.	CCA191 - GENERAL SUPPORT					
20		OPERATING	CCA	110,605B		35,605B	
21							
22	7.	CCA901 - PUBLIC UTILITIES COMMISSION					
23				2.00*		2.00*	
24		OPERATING	CCA	1,924,938B		3,805,538B	
25							



1 **PART III. PROGRAM APPROPRIATION PROVISIONS**

2 SECTION 4. Provided that of the amounts appropriated out
3 of the compliance resolution fund for the consumer advocate for
4 communication, utilities, and transportation services (CCA103),
5 the sum of \$292,000 or so much thereof as may be necessary for
6 fiscal year 2019-2020 and \$584,000 or so much thereof as may be
7 necessary for fiscal year 2020-2021 shall be expended to fund
8 the following permanent positions:

- 9 (1) One full-time equivalent (1.0 FTE) attorney;
- 10 (2) One full-time equivalent (1.0 FTE) administrative
11 specialist; and
- 12 (3) Three full-time equivalent (3.0 FTE) program
13 specialists.

14 SECTION 5. Provided that of the amounts appropriated out
15 of the compliance resolution fund for post-secondary education
16 authorization (CCA107), the sum of \$1,988 or so much thereof as
17 may be necessary for fiscal year 2019-2020 and the same sum or
18 so much thereof as may be necessary for fiscal year 2020-2021
19 shall be expended to fund fringe benefit costs for collective
20 bargaining and salary adjustments.



1 SECTION 6. Provided that of the amounts appropriated out
2 of the compliance resolution fund for the office of consumer
3 protection (CCA110), the sum of \$50,000 or so much thereof as
4 may be necessary for fiscal year 2019-2020 and the same sum or
5 so much thereof as may be necessary for fiscal year 2020-2021
6 shall be expended to fund central services assessments.

7 SECTION 7. Provided that of the amounts appropriated out
8 of the compliance resolution fund for business registration and
9 securities regulation (CCA111):

10 (1) The sum of \$83,368 or so much thereof as may be
11 necessary for fiscal year 2019-2020 and the same sum
12 or so much thereof as may be necessary for fiscal year
13 2020-2021 shall be expended to convert an office
14 assistant III position to a securities staff attorney
15 position, to address an increase in the number and
16 complexity of financial fraud schemes occurring in the
17 State;

18 (2) The sum of \$65,229 or so much thereof as may be
19 necessary for fiscal year 2019-2020 and the same sum
20 or so much thereof as may be necessary for fiscal year
21 2020-2021 shall be expended to fund fringe benefit



1 costs for collective bargaining and salary
2 adjustments; and
3 (3) Eight temporary positions shall be converted to
4 permanent positions to facilitate the recruitment and
5 retention of key personnel; provided further that the
6 conversion shall not affect the base budget.

7 SECTION 8. Provided that of the amounts appropriated out
8 of the compliance resolution fund for the regulated industries
9 complaints office (CCA112):

10 (1) The sum of \$350,000 or so much thereof as may be
11 necessary for fiscal year 2019-2020 and \$50,000 or so
12 much thereof as may be necessary for fiscal year 2020-
13 2021 shall be expended to build on and maintain the
14 regulated industries complaints office's case
15 management system; and

16 (2) The sum of \$14,098 or so much thereof as may be
17 necessary for fiscal year 2019-2020 and the same sum
18 or so much thereof as may be necessary for fiscal year
19 2020-2021 shall be expended to fund fringe benefit
20 costs for collective bargaining and salary
21 adjustments.



1 SECTION 9. Provided that of the amounts appropriated out
2 of the compliance resolution fund for general support (CCA191):

3 (1) The sum of \$100,000 or so much thereof as may be
4 necessary for fiscal year 2019-2020 and \$25,000 or so
5 much thereof as may be necessary for fiscal year 2020-
6 2021 shall be expended to fund software to assist with
7 integrating and tracking data objects with newly
8 developed systems;

9 (2) The sum of \$10,605 or so much thereof as may be
10 necessary for fiscal year 2019-2020 and the same sum
11 or so much thereof as may be necessary for fiscal year
12 2020-2021 shall be expended to fund fringe benefit
13 costs for collective bargaining and salary
14 adjustments; and

15 (3) Five temporary positions shall be converted to
16 permanent positions to facilitate the recruitment and
17 retention of key personnel; provided further that the
18 conversion shall not affect the base budget.

19 SECTION 10. Provided that of the amounts appropriated out
20 of the public utilities commission special fund for the public
21 utilities commission (CCA901):



- 1 (1) The sum of \$500,000 or so much thereof as may be
2 necessary for fiscal year 2019-2020 and \$2,060,000 or
3 so much thereof as may be necessary for fiscal year
4 2020-2021 shall be expended to fund the development of
5 a document management system and corresponding
6 licensing, maintenance, and independent verification
7 and validation costs;
- 8 (2) The sum of \$200,240 or so much thereof as may be
9 necessary for fiscal year 2019-2020 and \$195,840 or so
10 much thereof as may be necessary for fiscal year 2020-
11 2021 shall be expended to fund two permanent full-time
12 equivalent positions (2.0 FTE) as authorized by Act
13 201, Session Laws of Hawaii 2018, to support the
14 monitoring of motor vehicle carrier activity;
- 15 (3) The sum of \$33,000 or so much thereof as may be
16 necessary for fiscal year 2019-2020 and \$66,000 or so
17 much thereof as may be necessary for fiscal year 2020-
18 2021 shall be expended for information technology
19 equipment replacement costs;
- 20 (4) The sum of \$899,698 or so much thereof as may be
21 necessary for fiscal year 2019-2020 and the same sum



1 or so much thereof as may be necessary for fiscal year
 2 2020-2021 shall be expended to fund fringe benefit
 3 costs for collective bargaining and salary
 4 adjustments; and

5 (5) The sum of \$292,000 or so much thereof as may be
 6 necessary for fiscal year 2019-2020 and \$584,000 or so
 7 much thereof as may be necessary for fiscal year 2020-
 8 2021 shall be expended by the public utilities
 9 commission as the expending agency of the public
 10 utilities commission special fund to the division of
 11 consumer advocacy as provided by section 269-33(a),
 12 Hawaii Revised Statutes, for the purposes of section 4
 13 of this Act.

14 **PART IV. MISCELLANEOUS AND EFFECTIVE DATE**

15 SECTION 11. If any portion of this Act or its application
 16 to any person, entity, or circumstance is held to be invalid for
 17 any reason, then the legislature declares that the remainder of
 18 this Act and each and every other provision thereof shall not be
 19 affected thereby. If any portion of a specific appropriation is
 20 held to be invalid for any reason, the remaining portion shall



1 be expended to fulfill the objective of the appropriation to the
2 extent possible.

3 SECTION 12. If manifest clerical, typographical, or other
4 mechanical errors are found in this Act, the governor may
5 correct the errors.

6 SECTION 13. This Act shall take effect on July 1, 2019.



Report Title:

State Operating Budget; DCCA Programs; CCA103; CCA107; CCA110;
CCA111; CCA112; CCA191; CCA901; CPC

Description:

Appropriates funds for the fiscal biennium 2019-2021 operating budget of Department of Commerce and Consumer Affairs programs under the purview of the House of Representatives Standing Committee on Consumer Protection and Commerce. (HB1360 HD1)

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