
A BILL FOR AN ACT

RELATING TO THE FUNDING OF GRANTS PURSUANT TO CHAPTER 42F,
HAWAII REVISED STATUTES.

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 Grant Funding Act of 2020.

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



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



1 CCH City and county of Honolulu

2 COH County of Hawaii

3 COK County of Kauai

4 COM County of Maui

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

10 A General funds

11 B Special funds

12 C General obligation bond fund

13 D General obligation bond fund with debt service cost to
14 be paid from special funds

15 E Revenue bond funds

16 J Federal aid interstate funds

17 K Federal aid primary funds

18 L Federal aid secondary funds

19 M Federal aid urban funds

20 N Federal funds

21 P Other federal funds



- 1 R Private contributions
- 2 S County funds
- 3 T Trust funds
- 4 U Interdepartmental transfers
- 5 W Revolving funds
- 6 X Other funds

7 "Program ID" means the unique identifier for the specific
8 program and consists of the abbreviation for the organization
9 responsible for carrying out the program followed by the
10 organization number for the program.

11 **PART II. PROGRAM APPROPRIATIONS**

12 SECTION 3. APPROPRIATIONS. The following sums, or so much
13 thereof as may be sufficient to accomplish the purposes and
14 programs designated herein, are hereby appropriated or
15 authorized, as the case may be, from the means of financing
16 specified to the expending agencies designated for the fiscal
17 year 2020-2021. The total expenditures in each fiscal year
18 shall not exceed the sums and the position ceilings indicated
19 for each fiscal year, except as provided elsewhere in this Act
20 or as provided by general law.



PROGRAM APPROPRIATIONS

| ITEM NO. | PROG. ID | PROGRAM | EXPENDING AGENCY | APPROPRIATIONS | |
|-------------|-------------|---------|---------------------|-----------------------------|-------------|
| | | | | 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



1 SECTION 4. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so much
 3 thereof as may be necessary for fiscal year 2020-2021, as a
 4 grant pursuant to chapter 42F, Hawaii Revised Statutes,
 5 for .

6 The sum appropriated shall be expended by the department
 7 of for the purposes of this section.

8 **PART III. CAPITAL IMPROVEMENT PROJECTS**

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



CAPITAL IMPROVEMENT PROJECTS

| ITEM NO. | CAPITAL PROJECT NO. | TITLE | EXPENDING AGENCY | APPROPRIATIONS (IN 000'S) | |
|----------|---------------------|-------------------------|------------------|---------------------------|-------|
| | | | | FISCAL YEAR 2020-2021 | M O F |
| 1 | A. | ECONOMIC DEVELOPMENT | | | |
| 2 | | | | | |
| 3 | B. | EMPLOYMENT | | | |
| 4 | | | | | |
| 5 | E. | HEALTH | | | |
| 6 | | | | | |
| 7 | F. | SOCIAL SERVICES | | | |
| 8 | | | | | |
| 9 | H. | CULTURE AND RECREATION | | | |
| 10 | | | | | |
| 11 | K. | GOVERNMENT-WIDE SUPPORT | | | |



1 **PART IV. GENERAL PROVISIONS**

2 SECTION 6. Notwithstanding any law to the contrary, funds
3 appropriated in this Act may be transferred with the approval of
4 the governor to the Supplemental Appropriations Act of 2020 for
5 program execution and expenditure.

6 SECTION 7. Notwithstanding any law to the contrary, funds
7 appropriated in this Act may be transferred with the approval of
8 the governor to the Supplemental Improvements Act of 2020 for
9 program execution and expenditure.

10 **PART V. SPECIAL PROVISIONS**

11 SECTION 8. The governor may supplement funds for any cost
12 element for a capital improvement project authorized under this
13 Act by transferring sums as may be needed from the funds
14 appropriated for any other cost element of the same project by
15 this Act or any other prior or future act that has not lapsed;
16 provided that the total expenditure of funds for all cost
17 elements shall not exceed the total appropriations for that
18 project; provided further that the governor shall submit a
19 report to the legislature of all uses of this authority for the
20 previous twelve month period from December 1 to November 30 no



1 later than thirty days prior to the convening of the regular
2 session of 2021.

3 SECTION 9. Any provision of this Act to the contrary
4 notwithstanding, the appropriations made for capital improvement
5 projects authorized under this Act shall not lapse at the end of
6 the fiscal biennium for which the appropriation is made;
7 provided that all appropriations made to be expended in fiscal
8 biennium 2019-2021 that are unencumbered as of June 30, 2022,
9 shall lapse as of that date; provided further that this lapsing
10 date shall not apply to non-general fund appropriations for
11 projects described in part III of this Act where the
12 appropriations have been deemed necessary to qualify for federal
13 aid financing and reimbursement; provided further that those
14 appropriations that are unencumbered as of June 30, 2026, shall
15 lapse as of that date.

16 SECTION 10. In releasing funds for capital improvement
17 projects, the governor shall consider legislative intent and the
18 objectives of the user agency and its programs; the scope and
19 level of the user agency's intended service; and the means,
20 efficiency, and economics by which the project will meet the
21 objectives of the user agency and the State; provided that
22 agencies responsible for construction shall take into



1 consideration legislative intent, the objectives of the user
2 agency and its programs, and the scope and level of the user
3 agency's intended service and construct the improvement to meet
4 the objectives of the user agency in the most efficient and
5 economical manner possible.

6 SECTION 11. With the approval of the governor, designated
7 expending agencies for capital improvement projects authorized
8 in this Act may delegate to other state or county agencies the
9 implementation of projects when it is determined advantageous to
10 do so by both the original expending agency and the agency to
11 which expending authority is to be delegated; provided that the
12 governor shall submit a report to the legislature of all uses of
13 this authority for the previous twelve month period from
14 December 1 to November 30 no later than thirty days prior to the
15 convening of the regular session of 2021.

16 SECTION 12. No appropriation authorized in this Act for
17 expenditure by a political subdivision of the State shall be
18 considered to be a mandate to undertake new programs or to
19 increase the level of services under existing programs of that
20 political subdivision. If any appropriation authorized in this
21 Act constitutes such a mandate within the provisions of section
22 5 of article VIII of the Hawaii State Constitution, the



1 authorization shall be void and, in the case of capital
2 improvement appropriations designated to be financed from the
3 general obligation bond fund, the total general obligation bonds
4 authorized for those projects shall be correspondingly
5 decreased.

6 SECTION 13. Whenever the expending agency to which an
7 appropriation is made is changed due to legislation enacted
8 during any session of the legislature that affects the
9 appropriations made by this Act, the governor shall transfer the
10 necessary funds and positions to the proper expending agency as
11 provided by law.

12 SECTION 14. If the State should assume the direct
13 operation of any non-governmental agency receiving state funds
14 under the provisions of this Act, all related state funds shall
15 constitute a credit to the State against the costs of acquiring
16 all or any portion of the property, real, personal, or mixed, of
17 the non-governmental agency. This credit shall be applicable
18 regardless of when the acquisition takes place.

19 SECTION 15. Where an agency is authorized to secure funds
20 or other property from private organizations or individuals to
21 be expended or utilized in connection with any authorized
22 program, the agency, with the governor's approval, may enter



1 into the undertaking; provided that the provisions of the
2 undertaking comply with applicable state constitutional and
3 statutory requirements; provided further that the governor shall
4 submit a report to the legislature of all uses of this authority
5 for the previous twelve month period from December 1 to November
6 30 no later than thirty days prior to the convening of the
7 regular session of 2021.

8 SECTION 16. Except as otherwise provided by general law,
9 negotiations for the purchase of land by state agencies shall be
10 subject to the approval of the governor and the department of
11 land and natural resources or other appropriate agency; provided
12 that private lands may be acquired for the purpose of exchange
13 for federal lands when the department of land and natural
14 resources and the governor determine that the acquisition and
15 exchange are necessary for the completion of any project
16 specifically authorized by this Act.

17 SECTION 17. With the approval of the governor, expending
18 agencies that use appropriations authorized in part II of this
19 Act for planning, land acquisition, design, construction, and
20 equipment for repair and alterations may delegate that
21 responsibility and transfer funds to public works - planning,
22 design, and construction (AGS221) for the implementation of the



1 repair and alterations when the agencies determine that it is
 2 advantageous to do so; provided that the governor shall submit
 3 to the legislature a summary report of all uses of this
 4 authority for the previous twelve month period from December 1
 5 to November 30 no later than thirty days prior to the convening
 6 of the regular session of 2021.

7 **PART VI. MISCELLANEOUS AND EFFECTIVE DATE**

8 SECTION 18. If any portion of this Act or its application
 9 to any person, entity, or circumstance is held to be invalid for
 10 any reason, the legislature declares that the remainder of the
 11 Act and each and every other provision thereof shall not be
 12 affected thereby. If any portion of a specific appropriation is
 13 held to be invalid for any reason, the remaining portion shall
 14 be expended to fulfill the objective of that appropriation to
 15 the extent possible.

16 SECTION 19. If manifest clerical, typographical, or other
 17 mechanical errors are found in this Act, the governor is hereby
 18 authorized to correct the errors.

19 SECTION 20. This Act shall take effect on July 1, 2020.
 20

INTRODUCED BY:  _____

JAN 23 2020



H.B. NO. 2537

Report Title:

Chapter 42F; Grants; Appropriations

Description:

Appropriates operating and capital improvement grants for fiscal year 2020. Effective 7/1/2020.

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

