



TESTIMONY BY:

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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
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HONOLULU, HAWAII 96813-5097

February 4, 2019
1:15 pm
State Capitol, Room 225

S.B. 514
RELATING TO THE DEPARTMENT OF TRANSPORTATION

Senate Committee on Transportation

The Department of Transportation (DOT) **supports the intent** this bill.

S.B. 514 appropriates funding for capital improvement projects for the DOT, Airports Division; however, the DOT respectfully requests that appropriations contained therein for the Airports Division be replaced with those included in the Governor's Executive budget.

Furthermore, we respectfully request that provisions for Issuance of Bonds, and other special and miscellaneous provisions be included to ensure Airports Division can implement its Capital Improvement Program in the most efficient and effective manner.

We respectfully request your consideration of our complete list of CIP requests fully represented in the attached Exhibit-A.

Thank you for the opportunity to provide testimony.

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PART I. GENERAL PROVISIONS

SECTION 1. Unless otherwise clear from the context, as used in this Act:

"Capital project number" means the official number of the capital project, as assigned by the responsible organization.

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

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

TRN Department of Transportation

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

A general funds

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- B special funds
- C general obligation bond fund
- D general obligation bond fund with debt service
cost to be paid from special funds
- E revenue bond funds
- J federal aid interstate funds
- K federal aid primary funds
- L federal aid secondary funds
- M federal aid urban funds
- N federal funds
- P other federal funds
- R private contributions
- S county funds
- T trust funds
- U interdepartmental transfers
- W revolving funds
- X other funds

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

PART II. CAPITAL IMPROVEMENT PROJECTS

SECTION 2. CAPITAL IMPROVEMENT PROJECTS AUTHORIZED.

The sums of money appropriated or authorized in this Act

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for capital improvements shall be expended for the projects listed below. Accounting of the appropriations by the department of accounting and general services shall be based on the projects as such projects are listed in this section. Several related or similar projects may be combined into a single project if such combination is advantageous or convenient for implementation; provided that the total cost of the projects thus combined shall not exceed the total of the sum specified for the projects separately. The amount after each cost element and the total funding for each project listed in this part are in thousands of dollars.

ITEM NO.	TITLE	CAPITAL PROJECT NO.	PROGRAM ID	EXPENDING AGENCY	APPROPRIATIONS (\$1,000'S)				
					FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F	
	DANIEL K. INOUE INTERNATIONAL AIRPORT		TRN 102						
1.	DANIEL K. INOUE INT'L AIRPORT, NEW MAUKA CONCOURSE IMPROVEMENTS, OAHU	A41Q							
	CONSTRUCTION FOR NEW COMMUTER FACILITIES, NEW MAUKA CONCOURSE, AIRCRAFT APRON, TAXIWAYS AND BLAST FENCE NEAR THE INTERISLAND TERMINAL, AND OTHER RELATED IMPROVEMENTS FOR THE AIRPORT MODERNIZATION PROGRAM. (OTHER FUNDS FROM PASSENGER FACILITY CHARGES).								
	CONSTRUCTION				170,000				
	TOTAL FUNDING			TRN	100,000	E			E
				TRN	70,000	X			X

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ITEM NO.	TITLE	CAPITAL PROJECT NO.	PROGRAM ID	EXPENDING AGENCY	APPROPRIATIONS (\$1,000'S)				
					FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F	
2.	DANIEL K. INOUE INTERNATIONAL AIRPORT, SYSTEMS IMPROVEMENTS, OAHU	A37E	TRN 102						
	DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO VARIOUS SYSTEMS AT THE AIRPORT. IMPROVEMENTS MAY INCLUDE AIR CONDITIONING, BAGGAGE HANDLING, UTILITY, ENERGY CONTROLS, SECURITY, COMMUNICATIONS, LIFE SAFETY, SIGNAGE, STORM WATER, AND OTHER RELATED IMPROVEMENTS.								
	DESIGN					1,000			
	CONSTRUCTION					26,500		12,000	
	TOTAL FUNDING			TRN		27,500	E	12,000	E
3.	DANIEL K. INOUE INTERNATIONAL AIRPORT, INTRA-TERMINAL TRANSPORTATION, OAHU	A20E							
	CONSTRUCTION FOR IMPROVEMENTS FOR TRANSPORTATION BETWEEN TERMINALS AND OTHER RELATED IMPROVEMENTS AT THE AIRPORT.								
	CONSTRUCTION					10,000			
	TOTAL FUNDING			TRN		10,000	E		E
4.	DANIEL K. INOUE INTERNATIONAL AIRPORT, TERMINAL MODIFICATIONS, OAHU	A41D							
	DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO INCREASE EFFICIENCY, CAPACITY OR SAFETY OF THE TERMINALS AND OTHER RELATED IMPROVEMENTS.								
	DESIGN					5,900			
	CONSTRUCTION					41,000		58,900	
	TOTAL FUNDING			TRN		46,900	E	58,900	E

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ITEM NO.	TITLE	CAPITAL PROJECT NO.	PROGRAM ID	EXPENDING AGENCY	APPROPRIATIONS (\$1,000'S)				
					FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F	
	GENERAL AVIATION		TRN 104						
5.	KALAELOA AIRPORT, FACILITY IMPROVEMENTS, OAHU	A71C							
	DESIGN AND CONSTRUCTION FOR FACILITY IMPROVEMENTS AND OTHER RELATED IMPROVEMENTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT.								
	DESIGN					1			
	CONSTRUCTION					13,450			
	TOTAL FUNDING			TRN		8,450	E		E
				TRN		5,001	N		N
	HILO INTERNATIONAL AIRPORT		TRN 111						
6.	HILO INTERNATIONAL AIRPORT, TERMINAL IMPROVEMENTS, HAWAII	B11D							
	DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO THE TERMINAL AND OTHER RELATED IMPROVEMENTS.								
	DESIGN					800			
	CONSTRUCTION							23,000	
	TOTAL FUNDING			TRN		800	E	23,000	E
	ELLISON ONIZUKA KONA INTERNATIONAL AIRPORT AT KEAHOLE		TRN 114						
7.	ELLISON ONIZUKA KONA INT'L AIRPT AT KEAHOLE, TERMINAL IMPROVEMENTS, HAWAII	C03Y							
	CONSTRUCTION OF TERMINAL IMPROVEMENTS AND OTHER RELATED IMPROVEMENTS.								
	CONSTRUCTION					15,721			
	TOTAL FUNDING			TRN		15,721	E		E

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ITEM NO.	TITLE	CAPITAL PROJECT NO.	PROGRAM ID	EXPENDING AGENCY	APPROPRIATIONS (\$1,000'S)			
					FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
	KAHULUI AIRPORT		TRN 131					
8.	KAHULUI AIRPORT, TERMINAL IMPROVEMENTS, MAUI	D04D						
	CONSTRUCTION OF IMPROVEMENTS TO THE TERMINAL AND OTHER RELATED IMPROVEMENTS.							
	CONSTRUCTION				10,000			
	TOTAL FUNDING			TRN	10,000	E		E
	HANA AIRPORT		TRN 133					
9.	HANA AIRPORT, FACILITY IMPROVEMENTS, MAUI	D20E						
	DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.							
	DESIGN				400			
	CONSTRUCTION						2,000	
	TOTAL FUNDING			TRN	400	E	2,000	E
	MOLOKAI AIRPORT		TRN 141					
10.	MOLOKAI AIRPORT, FACILITY IMPROVEMENTS, MOLOKAI	D55A						
	DESIGN FOR IMPROVEMENTS OF VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.							
	DESIGN				3,500			
	TOTAL FUNDING			TRN	3,500	E		E
	LANAI AIRPORT		TRN 151					
11.	LANAI AIRPORT, FACILITY IMPROVEMENTS, LANAI	D70A						
	DESIGN AND CONSTRUCTION FOR IMPROVEMENTS OF VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.							
	DESIGN				400			
	CONSTRUCTION						2,000	
	TOTAL FUNDING			TRN	400	E	2,000	E

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ITEM NO.	TITLE	CAPITAL PROJECT NO.	PROGRAM ID	EXPENDING AGENCY	APPROPRIATIONS (\$1,000'S)				
					FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F	
	LIHUE AIRPORT								
			TRN 161						
12.	LIHUE AIRPORT, TERMINAL IMPROVEMENTS, KAUAI	E03A							
	DESIGN AND CONSTRUCTION FOR IMPROVEMENTS TO THE TERMINAL AND OTHER RELATED IMPROVEMENTS.								
	DESIGN					2,000			
	CONSTRUCTION							11,000	
	TOTAL FUNDING			TRN		2,000	E	11,000	E
13.	LIHUE AIRPORT, FACILITY IMPROVEMENTS, KAUAI	E01A							
	CONSTRUCTION FOR IMPROVEMENTS OF VARIOUS FACILITIES AND OTHER RELATED IMPROVEMENTS.								
	CONSTRUCTION					10,000			
	TOTAL FUNDING			TRN		10,000	E		E
	AIRPORTS ADMINISTRATION		TRN 195						
14.	AIRPORTS DIVISION CAPITAL IMPROVEMENT PROGRAM PROJECT STAFF COSTS, STATEWIDE	F08F							
	PLANS, DESIGN, AND CONSTRUCTION FOR COSTS RELATED TO WAGES AND FRINGE BENEFITS FOR PERMANENT PROJECT FUNDED STAFF POSITIONS FOR THE IMPLEMENTATION OF CAPITAL IMPROVEMENT PROGRAM PROJECTS FOR THE DEPARTMENT OF TRANSPORTATION'S AIRPORTS DIVISION. PROJECT MAY ALSO INCLUDE FUNDS FOR NON- PERMANENT CAPITAL IMPROVEMENT PROGRAM RELATED POSITIONS (OTHER FUNDS FROM PASSENGER FACILITY CHARGES).								
	PLANS					275		275	
	DESIGN					1,660		1,660	
	CONSTRUCTION					2,465		2,465	
	TOTAL FUNDING			TRN		4,250	B	4,250	B
				TRN		150	X	150	X

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ITEM NO.	TITLE	CAPITAL PROJECT NO.	EXPENDING AGENCY	APPROPRIATIONS (\$1,000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
							TRN 195
15.	AIRFIELD IMPROVEMENTS, STATEWIDE	F05I					
	DESIGN AND CONSTRUCTION FOR AIRFIELD IMPROVEMENTS AT STATEWIDE AIRPORTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID FINANCING AND/OR REIMBURSEMENT. (OTHER FUNDS FROM PASSENGER FACILITY CHARGES).						
	DESIGN					4,001	2,001
	CONSTRUCTION					168,001	273,001
	TOTAL FUNDING		TRN			164,000	275,000
			TRN			2	2
			TRN			8,000	
16.	RUNWAY SAFETY AREA IMPROVEMENTS, STATEWIDE	F05K					
	DESIGN AND CONSTRUCTION FOR RUNWAY SAFETY AREA IMPROVEMENTS AND OTHER RELATED IMPROVEMENTS AT STATEWIDE AIRPORTS. THIS PROJECT IS DEEMED NECESSARY TO QUALIFY FOR FEDERAL AID AND/OR REIMBURSEMENT.						
	DESIGN					300	3,000
	CONSTRUCTION					22,001	
	TOTAL FUNDING		TRN			25,000	3,000
			TRN			1	
17.	MISCELLANEOUS AIRPORT PROJECTS, STATEWIDE	F08G					
	DESIGN AND CONSTRUCTION OF IMPROVEMENTS AT VARIOUS STATE AIRPORTS, IMPROVEMENTS FOR SAFETY AND CERTIFICATION REQUIREMENTS, OPERATIONAL EFFICIENCY, AND PROJECTS REQUIRED FOR AIRPORT RELATED DEVELOPMENT.						
	DESIGN					1,000	1,000
	CONSTRUCTION					2,500	2,500
	TOTAL FUNDING		TRN			3,500	3,500

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ITEM NO.	TITLE	CAPITAL PROJECT NO.	EXPENDING AGENCY	APPROPRIATIONS (\$1,000'S)			
				FISCAL YEAR 2019-2020	M O F	FISCAL YEAR 2020-2021	M O F
							TRN 195
18.	AIRPORT PLANNING STUDY, STATEWIDE	F04J					
	PLANS FOR AIRPORT IMPROVEMENTS, ECONOMIC STUDIES, RESEARCH, PLANNING PROGRAM MANAGEMENT, NOISE MONITORING STUDIES, NOISE COMPATIBILITY STUDIES, AND ADVANCE PLANNING OF FEDERAL AID AND NON-FEDERAL AID PROJECTS.						
	PLANS				1,500		1,500
	TOTAL FUNDING		TRN	1,500	E	1,500	E
19.	CONSTRUCTION MANAGEMENT SUPPORT, STATEWIDE	F08O					
	CONSTRUCTION FOR CONSTRUCTION MANAGEMENT SUPPORT AT AIRPORT FACILITIES, STATEWIDE.						
	CONSTRUCTION				1,000		1,000
	TOTAL FUNDING		TRN	1,000	E	1,000	E
20.	PROGRAM MANAGEMENT, STATEWIDE	F08Y					
	DESIGN FOR THE PROGRAM MANAGEMENT OF THE MODERNIZATION PROGRAM AT AIRPORTS, STATEWIDE.						
	DESIGN				1,000		1,000
	TOTAL FUNDING		TRN	1,000	E	1,000	E
21.	AIRPORT IMPROVEMENTS, STATEWIDE	F05J					
	PLANS, DESIGN, AND CONSTRUCTION FOR PREVIOUSLY APPROVED PROJECTS AT STATEWIDE AIRPORTS FOR ALTERNATE FUNDING. (OTHER FUNDS FROM PASSENGER FACILITY CHARGES).						
	PLANS				800		
	DESIGN				3,500		
	CONSTRUCTION				2,600		
	TOTAL FUNDING		TRN	4,300	E		E
			TRN	2,600	X		X

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SECTION 3. The sums appropriated shall be expended by the Department of Transportation, Airports Division for the purposes of this Act.

PART III. ISSUANCE OF BONDS

SECTION 4. AIRPORT REVENUE BONDS. The department of transportation is authorized to issue airport revenue bonds for airport capital improvement program projects authorized in this Act and designated to be financed by revenue bond funds or by general obligation bond funds with debt service costs to be paid from special funds, in such principal amount as shall be required to yield the amounts appropriated for such capital improvements program projects, and, if so determined by the department and approved by the governor, any additional principal amount as may be necessary by the department to pay interest on such airport revenue bonds during the estimated period of construction of the capital improvement program project for which such airport revenue bonds are issued to establish, maintain, or increase reserves for the airport revenue bonds and to pay the expenses of issuance of such bonds. The airport revenue bonds shall be issued pursuant to the provisions of part III of chapter 39, Hawaii Revised

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Statutes, as the same may be amended from time to time. The principal of and interest on airport revenue bonds, to the extent not paid from the proceeds of such bonds, shall be payable solely from and secured solely by the revenues from airports and related facilities under the ownership of the State or operated and managed by the department and the aviation fuel taxes levied and paid pursuant to sections 243-4(a)(2) and 248-8, Hawaii Revised Statutes, or such parts of either thereof as the department may determine, including rents, landing fees, and other fees or charges presently or hereafter derived from or arising through the ownership, operation, and management of airports and related facilities and the furnishing and supplying of the services thereof, and passenger facility charges pursuant to section 261-5.5, Hawaii Revised Statutes, as amended, and as determined by the department. The expenses of the issuance of such airport revenue bonds shall, to the extent not paid from the proceeds of such bonds, be paid from the airport revenue fund and passenger facility charge special fund as determined by the department. The governor, at the governor's discretion, is authorized to use the airport revenue fund and passenger facility charge special fund to finance those projects authorized in this Act where the

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method of financing is designated to be by airport revenue bond funds.

SECTION 5. RENTAL MOTOR VEHICLE CUSTOMER FACILITY REVENUE BONDS. The department of transportation is authorized to issue rental motor vehicle customer facility revenue bonds for airport capital improvement program projects relating to consolidated rental car facilities authorized in this Act and designated to be financed by revenue bond funds with debt service cost to be paid from the rental motor vehicle customer facility charge special fund, as authorized by section 261-5.6, Hawaii Revised Statutes, in such principal amount as shall be required to yield the amounts appropriated for such capital improvements program projects, and, if so determined by the department and approved by the governor, any additional principal amount as may be necessary by the department to pay interest on the rental motor vehicle customer facility revenue bonds during the estimated period of construction of the capital improvements program project for which the rental motor vehicle customer facility revenue bonds are issued, to establish, maintain, or increase reserves for the rental motor vehicle customer facility revenue bonds and to pay the expenses of issuance of the bonds. The rental motor vehicle customer facility revenue bonds shall

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be issued pursuant to the provisions of part III of chapter 39, Hawaii Revised Statutes, as the same may be amended from time to time. The principal of and interest on rental motor vehicle customer facility revenue bonds, to the extent not paid from the proceeds of such bonds, shall be payable solely from and secured solely by the revenues from the rental motor vehicle surcharge tax and the rental motor vehicle customer facility charge special fund pursuant to section 261-5.6, Hawaii Revised Statutes, as amended, and as determined by the department. The expenses of the issuance of such rental motor vehicle customer facility revenue bonds, to the extent not paid from the proceeds of such bonds shall be paid from the rental motor vehicle customer facility charge special fund as determined by the department.

The governor, in the governor's discretion, is authorized to use the rental motor vehicle customer facility charge special fund to finance those projects authorized in this Act where the method of financing is designated to be by rental motor vehicle customer facility revenue bond funds.

PART IV. SPECIAL PROVISIONS

SECTION 6. GOVERNOR'S DISCRETIONARY POWERS. Any law or provision to the contrary notwithstanding, the governor

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may replace general obligation bond funds appropriated for capital improvement projects with general obligation reimbursable bond funds when the expenditure of such general obligation reimbursable bond funds is deemed appropriate for the project.

SECTION 7. In the event that the authorized appropriations specified for capital improvement projects listed in this Act are insufficient and where the source of funding is designated as special funds, general obligation bond fund with debt service cost to be paid from special funds, revenue bond funds, or revolving funds, the governor may make supplemental allotments from the special fund or revolving fund responsible for cash or debt service payments for the projects or transfer unrequired balances from other unexpired projects in this Act or prior appropriation acts which authorized the use of special funds, general obligation bond fund with debt service costs to be paid from special funds, revenue bond funds, or revolving funds; provided that such supplemental allotments shall not be used to increase the scope of the project; provided further that such supplemental allotments shall not impair the ability of the fund to meet the purposes for which it was established.

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SECTION 8. The governor may supplement funds for any cost element for a capital improvement project authorized under this Act by transferring such sums as may be needed from the funds appropriated for other cost elements of the same project by this Act or any other prior or future act that has not lapsed; provided that the total expenditure of funds for all cost elements shall not exceed the total appropriations for that project.

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

SECTION 10. Where it has been determined that changed conditions, such as a reduction in the particular population being served, permit the reduction in the scope

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of a capital improvement project described in this Act, the governor may authorize such reduction of project scope.

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

SECTION 12. With the approval of the governor, designated expending agencies for capital improvement projects authorized in this Act may delegate to other state or county agencies the implementation of projects when it is determined advantageous to do so by both the original expending agency and the agency to which expending authority is to be delegated.

SECTION 13. The governor may authorize the expenditure of funds for capital improvement projects not

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previously authorized in this Act to cope with the effects of natural disasters or unforeseen emergencies, when the effects of the natural disasters or unforeseen emergencies create an urgent need to pursue a course of action that is in the best interest of the State; provided that no funds shall be expended without a formal declaration of a natural disaster or emergency by the governor; provided further that the governor shall use the powers conferred under section 127A-13, Hawaii Revised Statutes, or any other applicable law to accomplish the purposes of this section.

SECTION 14. Notwithstanding any provision in this Act, the governor is authorized to transfer savings or unrequired balances as may be available from the appropriated funds of any program in this Act to supplement the appropriation for any other program in this Act to cope with the effects of natural disasters or other unforeseen emergencies; provided that the effects of such natural disasters or emergencies create an urgent need to pursue a course of action which is in the best interest of the State; provided further that the use of such funds does not conflict with general law; and provided further that no funds shall be expended without a formal declaration of a natural disaster or emergency by the governor.

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SECTION 15. No appropriation authorized in this Act for expenditure by a political subdivision of this State shall be considered to be a mandate to undertake new programs or to increase the level of services under existing programs of that political subdivision. If any appropriation authorized in this Act constitutes such a mandate within the provisions of section 5 of article VIII of the Hawaii State Constitution, such authorization shall be void and, in the case of capital improvement appropriations designated to be financed from the general obligation bond fund, the total general obligation bonds authorized for such projects shall be correspondingly decreased.

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

SECTION 17. If unanticipated federal funding cutbacks diminish or curtail essential, federally funded state programs, the governor may utilize savings as determined to be available from other state programs for the purpose of

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maintaining such programs until the next legislative session.

SECTION 18. The governor may approve the expenditure of all federal funds which are in excess of levels authorized by the legislature; provided that the governor may allow for an increase in the appropriate federal fund authorization ceiling for the program to accommodate the expenditure of such funds.

SECTION 19. Any provision of this Act to the contrary notwithstanding, the governor may approve the extension of the lapse dates for federal fund or other federal fund appropriations and appropriations of other means of financing, except general funds, deemed necessary to qualify for federal aid financing and/or reimbursement, provided in this Act or authorized by the governor pursuant to this Act as necessary to meet the intent of the federal grant awards.

SECTION 20. Where an agency is authorized to secure funds or other property from private organizations or individuals to be expended or utilized in connection with any authorized program, the agency, with the governor's approval, may enter into such undertaking, provided that the provisions of the undertaking comply with applicable state constitutional and statutory requirements.

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SECTION 21. Except as otherwise provided by general law, negotiations for the purchase of land by state agencies shall be subject to the approval of the governor and the department of land and natural resources, or other appropriate agency; provided that private lands may be acquired for the purpose of exchange for federal lands when the department of land and natural resources and the governor determine that such acquisition and exchange are necessary for the completion of any project specifically authorized by this Act.

SECTION 22. With the approval of the governor, expending agencies that use appropriations authorized in this Act for planning, land acquisition, design, construction, and equipment for repair and alterations may delegate that responsibility and transfer funds to public works - planning, design, and construction (AGS221) for the implementation of the repair and alterations when it is determined by the agencies that it is advantageous to do so.

SECTION 23. Except as otherwise provided, or except as prohibited by specific grant conditions, all federal or non-general fund reimbursements received by state programs shall be returned to the general fund or fund of originating expenses.

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PART V. MISCELLANEOUS AND EFFECTIVE DATE

SECTION 24. If any portion of this Act or its application to any person, entity, or circumstance is held to be invalid for any reason, then the legislature declares that the remainder of the Act and each and every other provision thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be expended to fulfill the objective of such appropriation to the extent possible.

SECTION 25. If manifest clerical, typographical, or other mechanical errors are found in this Act, the governor may correct such errors.

SECTION 26. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 27. This Act, upon its approval, shall take effect on July 1, 2019.