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# A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE OFFICE OF THE GOVERNOR  
RELATING TO COVID-19 EXPENDITURES.

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

1       SECTION 1. This Act is recommended by the governor for  
2       immediate passage in accordance with article VII, section 9, of  
3       the Constitution of the State of Hawaii.

4       SECTION 2. The legislature finds that the impact of the  
5       SARS-CoV-2 virus and resulting coronavirus disease 2019  
6       (COVID-19) pandemic has been devastating to global, national,  
7       and state economies.

8       The Coronavirus Aid, Relief, and Economic Security Act  
9       (CARES Act), Public Law 116-136, was enacted on March 27, 2020,  
10      to address the extensive health and economic fallout of the  
11      COVID-19 pandemic and provided federal funds to support the  
12      State's COVID-19 relief efforts. With the expiration of federal  
13      CARES Act funds, the State finds that additional funds are  
14      needed to continue funding critical COVID-19 response programs  
15      and activities for the remainder of fiscal year 2020-2021.



1       Accordingly, the purpose of this Act is to appropriate  
2 funds for COVID-19 response activities and provide transparency  
3 and accountability for the use of those funds.

4       SECTION 3. There is appropriated out of the general  
5 revenues of the State of Hawaii the sum of \$               or so  
6 much thereof as may be necessary for fiscal year 2020-2021 to be  
7 used as a contingency fund by the office of the governor to  
8 supplement the continuation of COVID-19 response programs and  
9 activities.

10       The sum appropriated shall be expended by the office of the  
11 governor for the purposes of this Act; provided that:

12       (1) The governor may transfer funds appropriated by this  
13 Act among all executive agencies as deemed necessary;

14       (2) The governor may transfer funds that are in excess of  
15 what is needed for each expending agency from other  
16 emergency appropriation acts relating to COVID-19  
17 expenditures for fiscal year 2020-2021 to the  
18 contingency fund as deemed necessary by the governor  
19 for the purposes of this Act; and

20       (3) The office of the governor fulfills the conditions  
21 described in section 4(a) and section 5 of this Act.



1       SECTION 4.   (a)   No moneys appropriated pursuant to  
2   section 3 of this Act shall be expended unless the office of the  
3   governor establishes a task force to develop recommendations on  
4   the roles and responsibilities of the department of the attorney  
5   general and county police departments in the enforcement of  
6   emergency rules and orders issued by the governor and the  
7   counties to address the COVID-19 pandemic.   The task force shall  
8   include:

9       (1)   The attorney general or the attorney general's  
10       designee;

11       (2)   The chief of police of each county police department  
12       or each chief of police's respective designee;

13       (3)   One representative of an organization that monitors or  
14       reports violations of emergency rules or orders  
15       adopted by the governor or a mayor to address the  
16       COVID-19 pandemic, to be appointed by the president of  
17       the senate; and

18       (4)   One representative of an organization that monitors or  
19       reports violations of emergency rules or orders  
20       adopted by the governor or a mayor to address the



1 COVID-19 pandemic, to be appointed by the speaker of  
2 the house of representatives.

3 (b) If the task force is established pursuant to  
4 subsection (a) shall submit a report of its findings and  
5 recommendations to the legislature no later than ,  
6 that includes clear recommendations regarding the specific roles  
7 and responsibilities of the department of the attorney general  
8 and the county police departments in the enforcement of  
9 COVID-19-related emergency rules or orders.

10 SECTION 5. In addition to the requirements of  
11 section 4(a), no moneys appropriated pursuant to section 3 of  
12 this Act shall be expended unless the office of the governor  
13 establishes by emergency order a statewide multi-tier system to  
14 address the COVID-19 pandemic, which shall be deployed at the  
15 county level and shall include clear metrics for each tier that  
16 establish:

17 (1) Types of businesses that are authorized to be open or  
18 that must be closed, along with any applicable  
19 restrictions;

20 (2) Types of activities that are authorized or prohibited,  
21 along with any applicable restrictions;



1 (3) Any in-person gathering restrictions; and

2 (4) Any other pandemic-related policies and rules.

3 SECTION 6. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so  
5 much thereof as may be necessary for fiscal year 2021-2022 for  
6 enforcement of COVID-19-related emergency orders and rules.

7 The sum appropriated shall be expended by the department of  
8 the attorney general for the purposes of this Act.

9 SECTION 7. Notwithstanding any provision of this Act to  
10 the contrary, the appropriation authorized under section 3 of  
11 this Act shall not lapse at the end of the fiscal year for which  
12 the appropriation is made. Any unexpended and unencumbered  
13 balance of the appropriation made pursuant to this Act as of the  
14 close of business on June 30, 2022, shall lapse.

15 SECTION 8. Should any project or program paid for by state  
16 funds under this Act later become eligible for federal  
17 reimbursement, the federal reimbursement funds shall be  
18 deposited into the general fund.

19 SECTION 9. This Act shall take effect on July 1, 2050;  
20 provided that section 6 shall take effect on July 1, 2050.



**Report Title:**

Emergency Appropriations; COVID-19; Pandemic Response; Federal Reimbursement

**Description:**

Provides an emergency appropriation in an unspecified amount to the office of the governor in fiscal year 2020-2021 to continue funding for various COVID-19 response related programs and activities. Requires, before the expenditure of any funds by the office of the governor, for the establishment of a task force to develop recommendations on the roles and responsibilities of the department of the attorney general and the county police departments regarding COVID-19 emergency order enforcement. Requires the governor, before the expenditure of any funds, to establish a statewide tier system, to be deployed at the county level, that include clear metrics for allowable business activities, other allowable activities, and in-person gathering restrictions. Appropriates funds to the department of the attorney general for enforcement of COVID-19 emergency orders and rules. Requires that should any project or program paid for by state funds become eligible for federal reimbursement, those federal funds shall be deposited into the general fund. Effective 7/1/2050. (HD1)

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