

JOSH GREEN, M.D.  
GOVERNOR  
STATE OF HAWAII  
*Ke Kia'āina o ka Moku'āina 'o  
Hawai'i*

SYLVIA J. LUKE  
LT. GOVERNOR  
STATE OF HAWAII  
*Ka Hope Kia'āina o ka Moku'āina  
'o Hawai'i*



KALI WATSON  
CHAIRMAN, HHC  
*Ka Luna Ho'okele*

KATIE L. DUCATT  
DEPUTY TO THE CHAIRMAN  
*Ka Hope Luna Ho'okele*

**STATE OF HAWAII**  
**DEPARTMENT OF HAWAIIAN HOME LANDS**

*Ka 'Oihana 'Āina Ho'opulapula Hawai'i*

P. O. BOX 1879  
HONOLULU, HAWAII 96805

TESTIMONY OF KALI WATSON, CHAIRMAN  
HAWAIIAN HOMES COMMISSION  
BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS  
HEARING ON MARCH 1, 2024 AT 9:55AM IN CR 211

**SB 3109, RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS**

March 1, 2024

Aloha Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee:

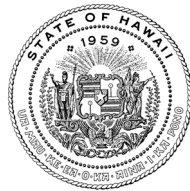
The Department of Hawaiian Home Lands (DHHL) strongly **supports with amendments** this bill which gives practical effect to the intent of the Legislature that funds appropriated in Act 279, Session Laws of Hawaii 2022, be available for expenditure until June 30, 2025.

The Hawaii State Department of the Attorney General opined that Act 279 authorization is only until June 30, 2024, given certain constitutional provisions that limit biennial appropriations to three years. Thus, as Act 279 currently stands, funds not encumbered by June 30, 2024, would lapse.

This measure is nearly identical to SB2921, but SB2921 is the preferred version since the bill includes language declaring that the general fund expenditure ceiling will be exceeded. DHHL requests that the language in the bill regarding exceeding the general fund expenditure ceiling be inserted into SB3109.

SB3109, along with its proper amendment, will provide clarity that should any funds lapse, an amount would be reappropriated to the fiscal year ending June 30, 2025, in order to align with the apparent legislative intent that DHHL be provided three full years to encumber the funds appropriated under Act 279.

Thank you for your consideration of our testimony.



JOSH GREEN, M.D.  
GOVERNOR

SYLVIA LUKE  
LIEUTENANT GOVERNOR

EMPLOYEES' RETIREMENT SYSTEM  
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
OFFICE OF THE PUBLIC DEFENDER

LUIS P. SALAVERIA  
DIRECTOR

SABRINA NASIR  
DEPUTY DIRECTOR

**STATE OF HAWAII**  
**DEPARTMENT OF BUDGET AND FINANCE**  
*Ka 'Oihana Mālama Mo'ohelu a Kālā*  
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ADMINISTRATIVE AND RESEARCH OFFICE  
BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION  
FINANCIAL ADMINISTRATION DIVISION  
OFFICE OF FEDERAL AWARDS MANAGEMENT

**WRITTEN ONLY**  
TESTIMONY BY LUIS P. SALAVERIA  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEE ON WAYS AND MEANS  
ON  
SENATE BILL NO. 3109

**March 1, 2024**  
**9:55 a.m.**  
**Room 211 and Videoconference**

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS

The Department of Budget and Finance (B&F) supports this measure.

Senate Bill (S.B.) No. 3109: 1) sets a lapse date of June 30, 2024, for unexpended or unencumbered general funds authorized by Act 279, SLH 2022 (Act 279); and 2) appropriates an unspecified sum of general funds for FY 25 to continue the purposes of Act 279.

B&F supports S.B. No. 3109 that changes the extended lapse date of June 30, 2025, in Act 279 to June 30, 2024, to align the general fund appropriation in the Act with the constitutional time limit on appropriations set by Section 11 of Article VII of the Constitution of the State of Hawai'i.

Thank you for your consideration of our comments.

# TAX FOUNDATION OF HAWAII

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126 Queen Street, Suite 305

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**SUBJECT:** MISCELLANEOUS, Technical Correction to \$600 Million 2022 DHHL Appropriation

**BILL NUMBER:** SB 3109

**INTRODUCED BY:** Senate Committee on Hawaiian Affairs

**EXECUTIVE SUMMARY:** Gives practical effect to the intent of the Legislature that funds appropriated in Act 279, Session Laws of Hawai'i 2022, be available for expenditure until June 30, 2025.S

**EXECUTIVE SUMMARY:** Amends the appropriation of Act 279, SLH 2022, to conform its lapsing provision by 1 year, to conform to constitutional limitations. Appropriates moneys to the Department of Hawaiian Home Lands for fiscal year 2024-2025 to give practical effect to the legislative intent behind Act 279.

**SYNOPSIS:** Makes technical changes to Act 279, SLH 2022, to conform with the original intent that the \$600 million appropriated to the Department of Hawaiian Home Lands not lapse until June 30, 2025.

**EFFECTIVE DATE:** June 29, 2024.

**STAFF COMMENTS:** This is an Administration measure sponsored by the Department of Hawaiian Home Lands and designated HHL-06 (24).

The Foundation recognizes this bill as a technical fix to conform to the original intent of the bill without running afoul of limitations in the Hawaii Constitution.

Digested: 1/30/2024

**SB-3109**

Submitted on: 2/28/2024 2:01:14 PM

Testimony for WAM on 3/1/2024 9:55:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lu Ann Mahiki Lankford-Faborito	Individual	Support	Written Testimony Only

Comments:

Strongly support this measure to make more leases available through this effort

**LATE**

**SB-3109**

Submitted on: 2/29/2024 7:12:35 PM

Testimony for WAM on 3/1/2024 9:55:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Margaret Murchie	Individual	Support	Written Testimony Only

Comments:

So happy that DHHL is finally under a responsible smart leader. Allow him the time to spend the allotted monies and take direction from him