
A BILL FOR AN ACT

RELATING TO FUNDING ADJUSTMENTS FOR STATE PROGRAMS.

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

PART I

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

SECTION 2. In prior years, the respective budget acts contained budget special provisions similar to sections 50, 51, 72, and 81 of Act 88, Session Laws of Hawaii 2021, the General Appropriations Act of 2021, which permitted departments to transfer funds between their projects; permitted departments to transfer funds between their programs, provided that the legislature was informed of the transfers; and established a protocol fund as a separate account to be expended at the discretion of the executive head of departments or agencies. However, Act 164, Session Laws of Hawaii 2023, the General Appropriations Act of 2023, (Act 164), as amended by Act 230, Session Laws of Hawaii 2024, the Supplemental Appropriations Act of 2024, does not include the special provisions. Consequently,



1 although funds were appropriated to various state departments
2 for their capital improvement program projects for fiscal
3 biennium 2023-2025, the omission of the special provisions has
4 caused operational limitations by limiting the ability of
5 departments to supplement allotments and transfer funds between
6 projects to address changing conditions.

7 PART II

8 SECTION 3. The purpose of this part is to address the
9 omission of the special provisions that authorize supplemental
10 allotments and transfer of unrequired balances for capital
11 improvement program projects and that also establish a protocol
12 fund as a separate account to be expended at the discretion of
13 the executive head of departments in Act 164.

14 SECTION 4. Part VII of Act 164, Session Laws of Hawaii
15 2023, as amended by Act 230, Session Laws of Hawaii 2024, is
16 amended by adding a new section to read as follows:

17 "SECTION 15.2. If the authorized appropriations specified
18 for capital improvement projects listed in this Act are
19 insufficient and where the source of funding is designated as
20 special funds, general obligation bond fund with debt service
21 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 unlapsed projects in this Act or prior appropriation acts that 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 the supplemental allotments shall not be used to increase the scope of the project; provided further that the supplemental allotments shall not impair the ability of the fund to meet the purposes for which it was established."

SECTION 5. Part VII of Act 164, Session Laws of Hawaii 2023, as amended by Act 230, Session Laws of Hawaii 2024, is amended by adding a new section to read as follows:

"SECTION 15.3. If the authorized appropriations specified for capital improvement projects listed in this Act are insufficient and where the source of funding is designated as airport passenger facility charge funds, the governor may make supplemental allotments from the airport revenue fund or airport revenue bond funds, or transfer unrequired balances from other unlapsed projects in this Act or prior appropriation acts that



authorized the use of airport passenger facility charge funds;
provided that the supplemental allotments shall not be used to
increase the scope of the project; provided further that the
supplemental allotments shall not impair the ability of the fund
to meet the purposes for which it was established; provided
further that the governor, at the governor's discretion, may
increase the passenger facility charge fund authorization
ceiling for the program to accommodate the expenditure of the
funds."

SECTION 6. Part VII of Act 164, Session Laws of Hawaii
2023, as amended by Act 230, Session Laws of Hawaii 2024, is
amended by adding a new section to read as follows:

"SECTION 15.4. Of the respective operating appropriation
authorized in part II of this Act for each principal state
department as defined by section 26-4, Hawaii Revised Statutes,
the sum of \$7,000 in fiscal year 2024-2025 shall be made
available in each department to be established as a separate
account for a protocol fund to be expended at the discretion of
the executive head of the department (i.e., director,
chairperson, comptroller, adjutant general, superintendent,
president, or attorney general)."



1 PART III

2 SECTION 7. The purpose of this part is to address the
 3 omission of the transfer proviso by appropriating additional
 4 general funds as emergency appropriations for fiscal year
 5 2024-2025 for operating shortfalls in fourth quarter funding for
 6 existing programs and to adjust funding for various programs to
 7 be commensurate with their anticipated levels of activity. The
 8 emergency appropriations and the funding adjustments made in
 9 this part are budget neutral.

10 SECTION 8. Act 164, Session Laws of Hawaii 2023, as
 11 amended by Act 230, Session Laws of Hawaii 2024, is amended by
 12 amending section 3, item I.4 to read as follows:

13 "4. PSD405 - HAWAII COMMUNITY CORRECTIONAL CENTER
 14 193.00* 193.00*
 15 OPERATING PSD 14,730,758A [~~15,220,198A~~]
 16 16,620,198A"

17
 18 SECTION 9. Act 164, Session Laws of Hawaii 2023, as
 19 amended by Act 230, Session Laws of Hawaii 2024, is amended by
 20 amending section 3, item I.5 to read as follows:

21 "5. PSD406 - MAUI COMMUNITY CORRECTIONAL CENTER
 22 205.00* 205.00*
 23 OPERATING PSD 14,872,239A [~~16,116,875A~~]
 24 15,816,875A
 25 3.00# 3.00#
 26 PSD 209,721S 209,721S"
 27



SECTION 10. Act 164, Session Laws of Hawaii 2023, as amended by Act 230, Session Laws of Hawaii 2024, is amended by amending section 3, item I.6 to read as follows:

"6. PSD407 - OAHU COMMUNITY CORRECTIONAL CENTER	501.00*	500.00*
OPERATING	PSD 40,621,493A	[42,708,191A] <u>44,958,191A</u> "

SECTION 11. Act 164, Session Laws of Hawaii 2023, as amended by Act 230, Session Laws of Hawaii 2024, is amended by amending section 3, item I.8 to read as follows:

"8. PSD409 - WOMEN'S COMMUNITY CORRECTIONAL CENTER	270.00*	269.00*
OPERATING	PSD 15,860,044A	[21,010,058A] <u>18,760,058A</u> "

PART IV

SECTION 12. Part VIII of Act 164, Session Laws of Hawaii 2023, as amended by Act 230, Session Laws of Hawaii 2024, is amended by adding two new sections to read as follows:

"SECTION 22.1. Notwithstanding any other provision of law, if unanticipated federal funding cutbacks diminish or curtail essential, federally funded state programs, the governor may utilize savings as may be determined to be available from other state programs for the purpose of maintaining those programs until the next legislative session.



SECTION 22.2. Notwithstanding any other provision of law, if unanticipated federal funding cutbacks diminish or curtail essential, federally funded state programs, the governor may utilize available funds from any other means of financing for the purpose of covering payroll and fringe benefit expenses of federally funded state employees."

PART V

SECTION 13. The legislature determines that there are amounts in excess of the requirements of the various funds listed in this Act. The director of finance is authorized to transfer the following amounts or so much thereof as may be necessary for fiscal year 2024-2025 from the following funds to the general fund:

	Account Code - Fund Taken	Minimum amount in excess of the requirements of the fund as determined by the legislature (\$)	Amount authorized to be transferred to the general fund by the director of finance (\$)
	Department of Accounting and General Services		
1	AGS 111 State Archives Preservation and Long Term Access Spec. Fund	612,759.00	612,759.00
2	AGS 252 State Parking Revolving Fund	3,933,440.00	3,933,440.00
3	AGS 251 State Motor Pool Revolving Fund	1,180,854.00	1,180,854.00
	Department of Agriculture		
4	AGR 101 GA Agricultural Loan Revolving Fund	996,884.00	996,884.00
5	AGR 101 GA Aquaculture Loan Reserve Fund	22,642.00	22,642.00
6	AGR 101 GA Ag. Loan Class D Emergency Loans	1,011,952.00	1,011,952.00



7	AGR 122 EB Pest inspection Quarantine and Eradication Fund	7,206,750.00	7,206,750.00
8	AGR 131 DB Animal Quarantine Special Fund	4,592,897.00	4,592,897.00
9	AGR 132 Animal Industry Special Fund	16,094.00	16,094.00
10	AGR 141 Agricultural Park Special Fund	2,460,763.00	2,460,763.00
11	AGR 141 HA Non-Agricultural Parks Lands Special Fund	3,401,805.00	3,401,805.00
12	AGR 141 HA Irrigation System Revolving Fund	3,818,603.00	3,818,603.00
13	AGR 151 BB Milk Control Special Fund	420,621.00	420,621.00
14	AGR 151 BB Certification Services Revolving Fund	337,712.00	337,712.00
15	AGR 151 Industrial Hemp Special Fund	90,441.00	90,441.00
16	AGR 153 CD Aquaculture Development Special Fund	62,617.00	62,617.00
17	AGR 171 Seal of Quality Special Fund	46,249.00	46,249.00
18	AGR 846 EE Pesticide Use Revolving Fund	2,494,711.00	2,494,711.00
Department of Business, Economic Development, and Tourism			
19	BED 100 SM Hawaii Community-based Economic Development Special Fund	327,289.40	327,289.40
20	BED 105 Creative Industries Division Special Fund	611,731.77	611,731.77
21	BED 120 Energy Security Special Fund	4,722,946.18	4,722,946.18
22	BED 138 Hawaii Green Infrastructure Special Fund - State Revolving Loan Fund	1,744,867.35	1,744,867.35
23	BED 138 HI-CAP Programs	19,268,471.93	19,268,471.93
24	BED 143 Strategic Development Programs Revolving Fund	9,219,108.00	9,219,108.00
Department of Education			
25	EDN 407 Libraries Special Fund	1,803,907.04	1,803,907.00
26	EDN 407 Library Fee for enhanced Services	1,922,613.00	1,922,613.00
27	EDN 500 Adult Education Special Fund	454,962.00	454,962.00
28	EDN 400 School Food Service Special Fund	33,199,375.00	33,199,375.00
29	EDN 150 Comprehensive Student Support Services Human Resources Stipend Program Special Fund	338,248.00	338,248.00
30	EDN 100 Commercial Enterprises Revolving Fund	75,039.00	75,039.00
31	EDN 400 Teacher Housing Revolving Fund	1,454,410.00	1,454,410.00
32	EDN 500 Adult Education Revolving Fund	600,262.00	600,262.00
33	EDN 400 Community Use of School Facilities Special Fund	7,920,531.00	7,920,531.00
34	EDN 400 School Bus Fare Revolving Fund	5,945,058.00	5,945,058.00
35	EDN 100 School Special Fee Revolving Account (Reimb for Lost Textbook & Equip)	2,187,217.00	2,187,217.00
36	EDN 400 Education Design and Construction Project Assessment Revolving Fund	4,646,474.00	4,646,474.00
37	EDN 100 Driver Education Fund	4,006,164.00	4,006,164.00
38	EDN 100 Workers Compensation	3,615,725.00	3,615,725.00
39	EDN 100 Unemployment Insurance - Interdepartmental Fund	900,092.00	900,092.00
Department of Taxation			
40	TAX 107 Cigarette Tax Stamp Administrative Special Fund	394,420.00	394,420.00



	University of Hawaii		
41	S-306-F Auxiliary Enterprises Special Fund (TRANSPORTATION SERVICES)	4,358,238.00	4,358,238.00
42	S-306-F Auxiliary Enterprises Special Fund (ADMIN)	8,768,303.00	8,768,303.00
43	S-306-F Auxiliary Enterprise SF (EDUCATION DCDC)	367,652.00	367,652.00
44	S-306-F Auxiliary Enterprise SF (EDUCATION CDS - CONFERENCES)	356,402.00	356,402.00
45	S-306-F Auxiliary Enterprise SF (NATURAL SCIENCE CHEMISTRY CONFERENCES)	26.00	26.00
46	S-306-F Auxiliary Enterprise SF (SOCIAL SCIENCE PACIFIC EMPRINTS)	22,397.00	22,397.00
47	S-306-F Auxiliary Enterprise SF (SOCIAL SCIENCE TASI/PHIDC)	349,609.00	349,609.00
48	S-306-F Auxiliary Enterprise SF (SOEST SEA GRANT CONF/EVENTS)	56,847.00	56,847.00
	Department of Land and Natural Resources		
49	LNR 141 Water and Land Development Special Fund	137,705.00	137,705.00
50	LNR 111 Bureau of Conveyances Special Fund	5,044,362.00	5,044,362.00
51	LNR 401 Fisheries Management Special Fund	441,291.00	441,291.00
52	LNR 102 Legacy Land Conservation Fund	4,063,258.00	4,063,258.00
53	LNR 101 Special Land and Development Fund	43,713,627.00	43,713,627.00
54	LNR 802 SHPD - SLDF	1,661,982.00	1,661,982.00
55	LNR 802 Hawaii Historic Preservation Special Fund	99,007.00	99,007.00
56	LNR 810 Prevention of Natural Disasters Special Fund	1,765,320.00	1,765,320.00
57	LNR 101 Beach Restoration Special Fund	5,007,920.00	5,007,920.00
58	LNR 407 Natural Area Reserve Fund	592,075.00	592,075.00
59	LNR 405 Conservation & Resources Enforcement	948,797.00	948,797.00
60	LNR 801 Ocean-Based Recreation Special Fund	24,588,159.00	24,588,159.00
	Department of Human Resources Development		
61	S-24-310-P Human Resources Development Special Fund	411,640.00	411,640.00
	Department of the Attorney General		
62	S-302-N/Medicaid Investigation Recovery Fund	5,389,867.00	5,389,867.00
63	S-305-N/DNA Registry Special Fund	126,724.00	126,724.00
64	S-320-N/Criminal Forfeiture Revolving Fund	462,613.00	462,613.00
65	S-321-N/Criminal History Record Improvement Revolving Fund	5,646,726.00	5,646,726.00
66	S-350-N/Internet Crimes Against Children Special Fund	313,465.00	313,465.00
	Department of Health		
67	S-504-H/Hawaii Mental Health Data Infrastructure Grant of Quality Improvement	242,489.00	242,489.00
68	S-659-H/Transformation Transfer Initiative	603,723.00	603,723.00
69	S-571-H/Drug and Alcohol Services Information System (DASIS)	474,333.00	474,333.00
70	S-328-H/TITLE IV-E Reimbursement (Interdepartmental transfer from DHS)	268,463.00	268,463.00



71	S-314-H/Neurotrauma Special Fund	1,064,085.00	1,064,085.00
72	S-347-H/Intellectual and Developmental Disabilities Medicaid Waiver Administrative Claiming Special Funds	6,740,724.00	6,740,724.00
73	S-396-H/DCAB - Accessible Parking Special Fund	1,451,709.00	1,451,709.00
74	S-304-H/Hawaii Birth Defects Special Fund	181,237.00	181,237.00
75	S-305-H/Community Health Centers Special Fund	22,742,971.00	22,742,971.00
76	S-321-H/Domestic Violence and Sexual Assault Special Fund	383,710.00	383,710.00
77	S-331-H/Early Intervention Special Fund	1,769,049.00	1,769,049.00
78	S-337-H/Hawaii Organ and Tissue Education Special Fund	447,591.00	447,591.00
79	S-21-506-H/Behavioral Risk Factors Surveillance System	754.00	754.00
80	S-21-586-H/Coverdell National Acute Stroke Program	2,129.00	2,129.00
81	S-21-642-H/Hawaii Tobacco Control Program	118,187.00	118,187.00
82	S-21-658-H/Building Resilient Inclusive Communities	44,959.00	44,959.00
83	S-317-H/Hawaii Hemp Processing	7,552.00	7,552.00
84	S-322-H/Noise, Radiation and Indoor Air Quality Special Fund	798,752.00	798,752.00
85	S-323-H/Asbestos and Lead Abatement Special Fund	299,544.00	299,544.00
86	S-327-H/Vector Control, U-account	653,554.00	653,554.00
87	S-336-H/Wastewater Treatment Certification Board Special Fund	60,851.00	60,851.00
88	S-342-H and S-339-H/Environment Response Revolving Fund	3,798,203.00	3,798,203.00
89	S-348-H/Environmental Management Special Fund	5,875,354.00	5,875,354.00
90	S-349-H/Clean Air Special Fund	14,098,981.00	14,098,981.00
91	S-14-508 and S-16-508-H/Multiplex Screening Panel for the Detect	9,586.00	9,586.00
92	S-**-583-H/OHCA Health Care Administrative Services	963,885.00	963,885.00
93	S-309-H/State Health Planning and Development Fund	698,309.00	698,309.00
Department of Law Enforcement			
94	S-24-502-W1/LAW502 NED DOJ Asset Forfeiture	830,000.00	780,000.00
95	S-24-503-W1/LAW503 DOJ/Treasury Equitable Sharing Program	625,000.00	435,000.00
Department of Corrections and Rehabilitation			
96	S-345-V1/Federal Reimbursement Maximization Special Fund	1,290,988.00	1,290,988.00
97	S-350-V1/Automated Victim Information & Notification System Special Fund	1,636,014.00	1,636,014.00



1 PART VI

2 SECTION 14. There is appropriated out of the general
3 revenues of the State of Hawaii the sum of \$ or so
4 much thereof as may be necessary for fiscal year 2025-2026 and
5 the same sum or so much thereof as may be necessary for fiscal
6 year 2026-2027 for expenses and for one full-time equivalent
7 (1.0 FTE) staff position.

8 The sums appropriated shall be expended by the office of
9 the governor for the purposes of this Act.

10 PART VII

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

19 SECTION 16. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 17. This Act shall take effect on July 1, 3000;
2 provided that part V shall take effect on June 29, 2025.



Report Title:

Budget Special Provisions; Supplemental Allotments; Transfers;
Protocol Funds

Description:

Authorizes supplemental allotments and transfers of unrequired balances for capital improvement program projects and establishes a protocol fund with a cap of \$7,000 for each state principal department. Makes emergency appropriations and commensurate reductions to pay for anticipated operating shortfalls in the 4th quarter due to the limited ability to transfer funds between programs. Authorizes the Governor to use program savings and available funds for the purpose of temporarily maintaining critical federally funded state programs and positions. Authorizes transfers to the general fund the excess balances of various non-general funds from various state departments and agencies. Appropriates moneys to Office of the Governor for expenses and staff. Effective 7/1/3000. (SD2)

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

