

ACT 113

H.B. NO. 116

A Bill for an Act Relating to the State Budget.

Be It Enacted by the Legislature of the State of Hawaii:

PART I. PROGRAM APPROPRIATIONS

SECTION 1. There is appropriated from the agricultural loan reserve fund the sum of \$79,998 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for financial assistance for agriculture (AGR101) to establish one full-time equivalent (1.0 FTE) permanent business loan officer.

The sums appropriated shall be expended by the department of agriculture for the purposes of this Act.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$350,000 or so much thereof as may be necessary for fiscal year 2019-2020 for quality and price assurance (AGR151) for food safety grants pursuant to section 141-12.5, Hawaii Revised Statutes.

The sums appropriated shall be expended by the department of agriculture for the purposes of this Act.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$240,000 or so much thereof as may be necessary for fiscal year 2019-2020 for agricultural development and marketing (AGR171) for Hawaii specific agricultural surveys.

The sums appropriated shall be expended by the department of agriculture for the purposes of this Act.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$90,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for general administration for agriculture (AGR192) to establish one full-time equivalent (1.0 FTE) permanent exempt special assistant

to the director of agriculture; provided that the director of agriculture shall appoint the special assistant without regard to chapter 76, Hawaii Revised Statutes.

The sums appropriated shall be expended by the department of agriculture for the purposes of this Act.

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,038,240 or so much thereof as may be necessary for fiscal year 2019-2020 and the sum of \$1,263,902 or so much thereof as may be necessary for fiscal year 2020-2021 for enterprise technology services - governance and innovation (AGS130) for cybersecurity capability enhancements.

The sums appropriated shall be expended by the office of enterprise technology services for the purposes of this Act.

SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$750,000 or so much thereof as may be necessary for fiscal year 2019-2020 for economic planning and research (BED130) for the 2020 census outreach; provided that the department may receive matching funds of \$250,000 from private contributions for the purpose for which this sum is appropriated.

The sums appropriated shall be expended by the department of business, economic development, and tourism for the purposes of this Act.

SECTION 7. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,000,000 or so much thereof as may be necessary for fiscal year 2019-2020 for general support for economic development (BED142) for the festival of pacific arts to be held in Honolulu.

The sums appropriated shall be expended by the department of business, economic development, and tourism for the purposes of Act 104, Session Laws of Hawaii 2017.

SECTION 8. There is appropriated from the Hawaii community development revolving fund the sum of \$180,294 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for Hawaii community development authority (BED150) for operating expenses of the Hawaii community development authority.

The sums appropriated shall be expended by the Hawaii community development authority for the purposes of this Act.

SECTION 9. There is appropriated from the public utilities commission special fund the sum of \$584,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for consumer advocate for communication, utilities, and transportation services (CCA103) to establish five full-time equivalent (5.0 FTE) permanent positions.

The sums appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this Act.

SECTION 10. There is appropriated from the compliance resolution fund business registration sub account the sum of \$83,368 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for business registration and securities regulation (CCA111) for personal services for the conversion of one office assistant III to a staff attorney.

The sums appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this Act.

SECTION 11. There is appropriated from the public utilities commission special fund the sum of \$200,240 or so much thereof as may be necessary for fiscal year 2019-2020 and the sum of \$195,840 or so much thereof as may be necessary for fiscal year 2020-2021 for public utilities commission (CCA901) to establish two full-time equivalent (2.0 FTE) permanent enforcement officer positions and other expenses.

The sums appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this Act.

SECTION 12. There is appropriated out of the general revenues of the State of Hawaii the sum of \$52,956 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for amelioration of physical disasters (DEF110) to establish one full-time equivalent (1.0 FTE) permanent human resource specialist IV.

The sums appropriated shall be expended by the department of defense for the purposes of this Act.

SECTION 13. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for the office of the governor (GOV100) to establish one full-time equivalent (1.0 FTE) temporary state disaster recovery coordinator.

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

SECTION 14. There is appropriated out of the general revenues of the State of Hawaii the sum of \$150,000 or so much thereof as may be necessary for fiscal year 2019-2020 for office of the governor (GOV100) for protocol expenses related to events at Washington Place.

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

SECTION 15. There is appropriated out of the general revenues of the State of Hawaii the sum of \$20,000 or so much thereof as may be necessary for fiscal year 2019-2020 for general administration – DHS (HMS904) to establish a joint outreach center located in Kaneohe.

The sums appropriated shall be expended by the department of human services for the purposes of this Act.

SECTION 16. There is appropriated out of the general revenues of the State of Hawaii the sum of \$750,000 or so much thereof as may be necessary for fiscal year 2019-2020 for family health services (HTH560) for family planning.

The sums appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 17. There is appropriated from moneys in the treasury received from federal grants the sum of \$39,292 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for environmental health administration (HTH849).

The sums appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 18. There is appropriated from moneys in the treasury received from revolving funds the sum of \$21,553 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for environmental health administration (HTH849).

The sums appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 19. There is appropriated out of the general revenues of the State of Hawaii the sum of \$500,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for water and land development (LNR141) for the Hawaii association of conservation districts.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 20. There is appropriated out of the general revenues of the State of Hawaii the sum of \$480,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for parks administration and operation (LNR806) for lifeguard services at Kua Bay on Hawaii island.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 21. There is appropriated out of the general revenues of the State of Hawaii the sum of \$53,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for LNR – natural and physical environment (LNR906) to establish one full-time equivalent (1.0 FTE) temporary cultural resource project coordinator for the Kahoolawe island reserve commission.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 22. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2019-2020 for LNR – natural and physical environment (LNR906) for operating expenses of the Kahoolawe island reserve commission.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 23. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for LNR – natural and physical environment (LNR906) to establish one full-time equivalent (1.0 FTE) permanent aha moku executive director.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 24. There is appropriated out of the general revenues of the State of Hawaii the sum of \$69,540 or so much thereof as may be necessary for

fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for kulani correctional facility (PSD403) to establish one full-time equivalent (1.0 FTE) permanent corrections supervisor I.

The sums appropriated shall be expended by the department of public safety for the purposes of this Act.

SECTION 25. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,897,827 or so much thereof as may be necessary for fiscal year 2020-2021 for women's community correctional center (PSD409) to establish twenty three full-time equivalent (23.0 FTE) permanent positions and operating expenses for the Ho'okipa cottage; provided that the positions shall be established in fiscal year 2019-2020.

The sums appropriated shall be expended by the department of public safety for the purposes of this Act.

SECTION 26. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2,690,450 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for health care (PSD421) for Medicaid fiscal agent and pharmacy costs.

The sums appropriated shall be expended by the department of public safety for the purposes of this Act.

SECTION 27. There is appropriated out of the general revenues of the State of Hawaii the sum of \$75,192 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for narcotics enforcement (PSD502) to fund one full-time equivalent (1.0 FTE) permanent investigator V.

The sums appropriated shall be expended by the department of public safety for the purposes of this Act.

SECTION 28. There is appropriated out of the general revenues of the State of Hawaii the sum of \$85,800 or so much thereof as may be necessary for fiscal year 2020-2021 for narcotics enforcement (PSD502) for personal services for two full-time equivalent (2.0 FTE) permanent criminalist I positions.

The sum appropriated shall be expended by the department of public safety for the purposes of this Act.

SECTION 29. There is appropriated from the state highway fund the sum of \$147,321 or so much thereof as may be necessary for fiscal year 2020-2021 for Kauai highways (TRN561) for equipment for Kauai highways.

The sum appropriated shall be expended by the department of transportation for the purposes of this Act.

SECTION 30. There is appropriated out of the general revenues of the State of Hawaii the sum of \$59,448 or so much thereof as may be necessary for fiscal year 2019-2020 and the same sum or so much thereof as may be necessary for fiscal year 2020-2021 for in-community youth programs (HMS501) to fund one existing full-time equivalent (1.0 FTE) permanent corrections program specialist II; provided that, notwithstanding any provision contained in the General Appropriations Act of 2019 that appropriates funds and establishes position ceilings, the position authorized in this section shall be in addition to the positions authorized for that program under the General Appropriations Act of 2019; provided further that any incumbent employee shall retain the employee's:

- (1) Civil service status, whether permanent or temporary; and
- (2) Salary, seniority (except as may be prescribed by applicable collective bargaining agreement), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws; and

provided further that notwithstanding any law to the contrary, funds appropriated in this Act may be transferred with the approval of the governor to the General Appropriations Act of 2019 (House Bill No. 2, H.D. 1, S.D. 1, C.D.1),¹ for program execution and expenditure.

The sums appropriated shall be expended by the office of youth services for the purposes of this Act.

SECTION 31. There is appropriated out of the general revenues of the State of Hawaii the sum of \$450,000 or so much thereof as may be necessary for fiscal year 2019-2020 for in-community youth programs (HMS501) to fund existing juvenile justice reform programs.

The sum appropriated shall be expended by the department of human services for the purposes of this Act.

PART II. PROVISIONS

SECTION 32. Provided that of the general fund appropriation in section 3 of Act 5, Session Laws of Hawaii 2019, for public works – planning, design, and construction (AGS221), the sum of \$250,000 or so much thereof as may be necessary for fiscal year 2019-2020 shall be expended for the implementation of a proof of concept study to update the Wahiawa Civic Center Master Plan, which shall include a new courthouse, facilities for current state tenants, facilities for other state agencies, and the optimization of facility space and land uses for the provision of services to the community.

SECTION 33. Provided that of the general funds appropriated by section 3 of Act 5, Session Laws of Hawaii 2019, for adult parole supervision and counseling (PSD612), the sum of \$250,000 or so much thereof as may be necessary for fiscal year 2019-2020 shall be expended on a pre-entry and post-entry program for inmates by a federally qualified health center that operates an existing pre-entry and post-entry program for inmates.

SECTION 34. 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 35. If manifest clerical, typographical, or other mechanical errors are found in this Act, the governor may correct the errors.

SECTION 36. This Act shall take effect on July 1, 2019.

(Approved June 21, 2019.)

Note

1. Act 5.