

ACT 22

H.B. NO. 2376

A Bill for an Act Relating to Funding Adjustments for State Programs.

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

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 a budget proviso such as section 72 of Act 88, Session Laws of Hawaii 2021, the General Appropriations Act of 2021 (Act 88), which permitted departments to transfer funds between their programs provided that the legislature was informed of the transfers. However, section 8 of Act 248, Session Laws of Hawaii 2022, the Supplemental Appropriations Act of 2022, repealed section 72 of Act 88, and Act 164, Session Laws of Hawaii 2023, the General Appropriations Act of 2023, does not reinstate the proviso. Consequently, although funds were appropriated to various state departments for their operating programs for fiscal year 2023-2024, the proviso's elimination has caused a critical funding emergency by limiting the ability of departments to transfer funds between their programs to address changing conditions.

The department of transportation is requesting the transfer of special funds to replace one of its two existing barrier transfer machines that provides high occupancy vehicle lanes during the morning rush hour on Oahu. The purchase requires the transfer of \$3,952,250 from the highways administration program that are not necessary for debt service requirements. These program savings would be transferred to the Oahu highways program for the purchase of the replacement barrier transfer machine.

The purpose of this Act is to address the omission of the transfer proviso by adjusting funding for various programs to be commensurate with their anticipated levels of activity. The funding adjustment made in this Act is budget neutral.

SECTION 3. Act 164, Session Laws of Hawaii 2023, is amended by amending section 3 as follows:

(1) By amending item C-27 to read:

“27. TRN501 - OAHU HIGHWAYS

190.00*

190.00*

	OPERATING	TRN	[91,594,359B] <u>95,546,609B</u> ”	93,045,019B
(2)	By amending item C-31 to read:			
“31.	TRN595 - HIGHWAYS ADMINISTRATION			
	OPERATING	TRN	3,600,000A 544.50* 4.00#	A 544.50* 4.00#
		TRN	[200,645,923B] <u>196,693,673B</u> 1.00#	196,403,474B 1.00#
		TRN	15,453,000N	15,429,518N
	INVESTMENT CAPITAL	TRN	8,700,000B	6,500,000B
		TRN	91,299,000E	67,499,000E
		TRN	295,600,000N	185,600,000N”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 13, 2024.)