

ACT 49

H.B. NO. 2374

A Bill for an Act Making Emergency Appropriations for Public Employment Cost Items.

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

PART I

SECTION 1. There are appropriated from the sources of funding indicated below to collective bargaining statewide (BUF 102) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2023-2025 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining units (2), (3), (4), (8), (9), (13), and (14) and their excluded counterparts. The amounts are for a negotiated settlement for the executive branch and the university of Hawaii, and an arbitration award for the department of education:

	<u>FY 2023-2024</u>	<u>FY 2024-2025</u>
General funds	-0-	290,365,821
Special funds	-0-	41,865,982
Federal funds	-0-	26,862,136
Other federal funds	-0-	6,322,959
American Rescue Plan funds	-0-	443,756
Trust funds	-0-	1,747,078
Interdepartmental transfers	-0-	3,438,128
Revolving funds	-0-	4,872,242
Other funds	-0-	1,827,308
Special fund CIP	-0-	341,055

Of the above amounts, the following amounts are for the department of education:

	<u>FY 2023-2024</u>	<u>FY 2024-2025</u>
General funds	-0-	102,052,500
Special funds	-0-	96,885
Federal funds	-0-	1,227,210
Trust funds	-0-	161,475
Revolving funds	-0-	258,360

SECTION 2. Funds appropriated by this part shall be allotted by the director of finance to the appropriate state departments for expenditure in the respective fiscal year for the purposes of this part.

PART II

SECTION 3. There are appropriated from the sources of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2023-2025 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining units (2), (3), (4), (9), and (13):

	<u>FY 2023-2024</u>	<u>FY 2024-2025</u>
General funds	-0-	29,640,000
Special funds	-0-	850,792

SECTION 4. Funds appropriated by this part shall be expended by the chief justice in the respective fiscal year for the purposes of this part.

PART III

SECTION 5. There are appropriated from the sources of funding indicated below to administration (JUD 601) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2023-2025 all collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining units (1) and (10) and their excluded counterparts:

	<u>FY 2023-2024</u>	<u>FY 2024-2025</u>
General funds	-0-	1,709,922

SECTION 6. Funds appropriated by this part shall be expended by the chief justice in the respective fiscal year for the purposes of this part.

PART IV

SECTION 7. There is appropriated from the source of funding indicated below to Hawaii health systems corporation – corporate office (HTH 210) the following sums or so much thereof as may be necessary to fund for fiscal biennium 2023-2025 the collective bargaining cost items in the agreement negotiated with the exclusive representative of collective bargaining units (2), (3), (4), (9), and (13) and their excluded counterparts:

	<u>FY 2023-2024</u>	<u>FY 2024-2025</u>
General funds	-0-	35,660,000
Special funds	-0-	4,779,660

SECTION 8. Funds appropriated by this part shall be allotted by the director of finance to the Hawaii health systems corporation for expenditure in the respective fiscal year for the purposes of this part.

PART V

SECTION 9. There is appropriated from the general revenues of the State of Hawaii to the senate, house of representatives, and legislative agencies indicated below, the following sums or so much thereof as may be necessary for fiscal biennium 2023-2025, to fund Hawaii employer-union health benefits trust fund costs and other cost adjustments authorized by chapter 89C, Hawaii Revised Statutes, for legislative officers and employees who are excluded from collective bargaining:

	<u>FY 2023-2024</u>	<u>FY 2024-2025</u>
State ethics commission	-0-	220,000
Office of the auditor	-0-	460,000
Legislative reference bureau	-0-	780,000
Office of the ombudsman	-0-	380,000
Senate	-0-	2,800,000
House of representatives	-0-	3,380,000

SECTION 10. Funds appropriated by this part shall be allotted to the heads of the respective chamber or legislative agency for expenditure for the purposes of this part.

PART VI

SECTION 11. Salary increases and cost adjustments provided in this Act for any officer or employee whose compensation is paid, in whole or in part, from federal, special, or other funds shall be paid wholly or proportionately, as the case may be, from the respective funds.

SECTION 12. Notwithstanding any provision of this Act, with the approval of the governor, the director of finance may transfer unrequired balances from the appropriated funds as may be available between parts I, II, and III of this Act as necessary.

SECTION 13. Funds appropriated or authorized by this Act that are not expended or encumbered by June 30, 2025, shall lapse as of those dates.

SECTION 14. (a) In accordance with section 9 of article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriations contained in H.B. No. 40, S.D. 1, C.D. 1,¹ will cause the state general fund expenditure ceiling for fiscal year 2024-2025 to be exceeded by \$323,323,869 or 3.1 per cent. In addition, the appropriations contained in this Act will cause the general fund expenditure ceiling for fiscal year 2024-2025 to be further exceeded by \$365,395,743 or 3.3 per cent. The combined total amount of general fund appropriations contained in only these two Acts will cause the state general fund expenditure ceiling for fiscal year 2024-2025 to be exceeded by \$688,719,612 or 6.4 per cent.

(b) In accordance with section 9 of article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriations contained in this Act will cause the state general fund expenditure ceiling for fiscal year 2024-2025 to be exceeded by \$365,395,743 or 3.3 per cent.

(c) The reasons for exceeding the general fund expenditure ceiling are that:

- (1) The appropriations made in this Act are necessary to serve the public interest; and
- (2) The appropriations made in this Act meet the needs addressed by this Act.

SECTION 15. This Act shall take effect on July 1, 2024.

(Approved June 19, 2024.)

Note

1. Act 229.