

Honolulu, Hawaii

APR 29 2011

, 2011

RE: S.B. No. 1270
S.D. 2
H.D. 1
C.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1270, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to appropriate Hawaii Hurricane Relief Fund monies into the General Fund to make funds available to balance the state budget for fiscal year 2010-2011, with a mechanism for the automatic replenishment of the Hawaii Hurricane Relief Fund for subsequent fiscal years, and maintain the levels of programs determined to be essential for education, public health, and public welfare.

Your Committee on Conference finds that this measure has been designated as an emergency appropriation for the purpose of filling in a budget shortfall in the current fiscal year. The Legislature



has chosen to fulfill this purpose by authorizing the expenditure of funds in the Hawaii Hurricane Relief Fund as a last resort in extraordinary times. Your Committee on Conference notes that this measure contains a provision to effectuate the automatic replenishment of the Hurricane Reserve Trust Fund from general excise tax revenues in fiscal years 2013-2014 and 2014-2015. Your Committee also notes that this measure contains a provision authorizing the issuance of revenue bonds in order to maintain a balance of \$75,000,000 in the Hurricane Reserve Trust Fund.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Hawaii Hurricane Relief Fund monies appropriated under this measure are from the Hurricane Reserve Trust Fund;
- (2) Adding a provision authorizing the Governor to transfer all or a portion of the remaining balance of the Hurricane Reserve Trust Fund into the General Fund, to be spent after the expenditure, encumbrance, or allotment of the emergency and budget reserve funds and non-general funds designated for use in fiscal year 2010-2011 by Senate Bill No. 1293 and Senate Bill No. 120, in the form in which those bills are enacted during the 2011 Regular Session;
- (3) Making an appropriation from the Hurricane Reserve Trust Fund of \$42,000,000 or so much thereof as necessary to maintain programs at levels essential for education, public health, and public welfare for the 2010-2011 fiscal year; provided that specified conditions are met;
- (4) Authorizing the Governor to transfer of the remaining balance of the Hurricane Reserve Trust Fund to the General Fund on June 30, 2011; provided that specified conditions are met;
- (5) Authorizing the Director of Finance to deposit certain funds into separate accounts in the General Fund;
- (6) Directing the Governor to submit a report to the Legislature identifying the programs and projects for which funds transferred from the Hurricane Reserve Trust Fund were expended;
- (7) Authorizing the carry-over of funds transferred from the Hurricane Reserve Trust Fund into the General Fund during



fiscal year 2010-2011 that are unexpended or unencumbered as of June 30, 2011, to fiscal year 2011-2012;


- (8) Changing the amount of general excise tax revenues to be transferred to the Hurricane Reserve Trust Fund in fiscal years 2013-2014 and 2014-2015 to the equivalent of one-half of the total amount of funds appropriated or transferred out of the Hurricane Reserve Trust Fund under this measure, which serves to replenish funds appropriated from the Hurricane Reserve Trust Fund;
- (9) Authorizing the issue of revenue bonds by the Hawaii Hurricane Relief Fund in amounts not exceeding \$75,000,000;
- (10) Indemnifying the State, its officers, and its employees from liability for any action taken pursuant to this measure; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1270, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1270, S.D. 2, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


MARCUS R. OSHIRO, Chair


ROSALYN H. BAKER, Chair


DAVID Y. IGE, Co-Chair



