A BILL FOR AN ACT

RELATING TO FISCAL BIENNium 2019-2021 BUDGET REQUESTS FOR THE
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS.

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

PART I. GENERAL PROVISIONS

SECTION 1. The purpose of this Act is to establish additional amounts to be appropriated or authorized and additional positions in the operating budget for the fiscal biennium beginning July 1, 2019, and ending June 30, 2021, for certain state executive branch programs under the purview of the house of representatives standing committee on consumer protection and commerce.

SECTION 2. DEFINITIONS. Unless otherwise clear from the context, as used in this Act:

"Expending agency" means the department of commerce and consumer affairs.

Abbreviations, where used to denote the expending agency or a house of representatives standing committee, shall mean the following:

CCA Department of commerce and consumer affairs
CPC House of representatives standing committee on
consumer protection and commerce

"Means of financing" or "MOF" means the source from which funds are appropriated or authorized to be expended for the programs and projects specified in this Act. All appropriations are followed by letter symbols. The letter symbols, where used, shall have the following meanings:

B Special funds

"Position ceiling" means the maximum number of permanent and temporary full-time equivalent positions authorized for a particular program during a specified period or periods, as denoted by an asterisk for permanent full-time equivalent positions and a pound sign for temporary full-time equivalent positions.

"Program ID" means the unique identifier for the specific program and consists of the abbreviation for the organization responsible for carrying out the program followed by the organization number for the program.

PART II. PROGRAM APPROPRIATIONS

SECTION 3. APPROPRIATIONS. The following sums, or so much thereof as may be sufficient to accomplish the purposes and
programs designated herein, are hereby appropriated or
authorized, as the case may be, from the means of financing
specified to the expending agency designated for the fiscal
biennium beginning July 1, 2019, and ending June 30, 2021. The
total expenditures and the number of positions in each fiscal
year of the biennium shall not exceed the sums and the position
ceilings indicated for each fiscal year, except as provided
elsewhere in this Act or as provided by general law.
## PROGRAM APPROPRIATIONS

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<th>ITEM</th>
<th>PROG. NO.</th>
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**CPC - CONSUMER PROTECTION & COMMERCE**

1. CCA103 - Consumer Advocate for Communication, Utilities, and Transportation Services

2. CCA107 - Post-Secondary Education Authorization

3. CCA110 - Office of Consumer Protection

4. CCA111 - Business Registration and Securities Regulation

5. CCA112 - Regulated Industries Complaints Office

6. CCA191 - General Support

7. CCA901 - Public Utilities Commission
PART III. PROGRAM APPROPRIATION PROVISIONS

SECTION 4. Provided that of the amounts appropriated out of the compliance resolution fund for the consumer advocate for communication, utilities, and transportation services (CCA103), the sum of $292,000 or so much thereof as may be necessary for fiscal year 2019-2020 and $584,000 or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended to fund the following permanent positions:

(1) One full-time equivalent (1.0 FTE) attorney;
(2) One full-time equivalent (1.0 FTE) administrative specialist; and
(3) Three full-time equivalent (3.0 FTE) program specialists.

SECTION 5. Provided that of the amounts appropriated out of the compliance resolution fund for post-secondary education authorization (CCA107), the sum of $1,988 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 shall be expended to fund fringe benefit costs for collective bargaining and salary adjustments.
SECTION 6. Provided that of the amounts appropriated out of the compliance resolution fund for the office of consumer protection (CCA110), the sum of $50,000 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 shall be expended to fund central services assessments.

SECTION 7. Provided that of the amounts appropriated out of the compliance resolution fund for business registration and securities regulation (CCA111):

(1) 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 shall be expended to convert an office assistant III position to a securities staff attorney position, to address an increase in the number and complexity of financial fraud schemes occurring in the State;

(2) The sum of $65,229 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 shall be expended to fund fringe benefit
costs for collective bargaining and salary adjustments; and

(3) Eight temporary positions shall be converted to permanent positions to facilitate the recruitment and retention of key personnel; provided further that the conversion shall not affect the base budget.

SECTION 8. Provided that of the amounts appropriated out of the compliance resolution fund for the regulated industries complaints office (CCA112):

(1) The sum of $350,000 or so much thereof as may be necessary for fiscal year 2019-2020 and $50,000 or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended to build on and maintain the regulated industries complaints office's case management system; and

(2) The sum of $14,098 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 shall be expended to fund fringe benefit costs for collective bargaining and salary adjustments.
SECTION 9. Provided that of the amounts appropriated out of the compliance resolution fund for general support (CCA191):

(1) The sum of $100,000 or so much thereof as may be necessary for fiscal year 2019-2020 and $25,000 or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended to fund software to assist with integrating and tracking data objects with newly developed systems;

(2) The sum of $10,605 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 shall be expended to fund fringe benefit costs for collective bargaining and salary adjustments; and

(3) Five temporary positions shall be converted to permanent positions to facilitate the recruitment and retention of key personnel; provided further that the conversion shall not affect the base budget.

SECTION 10. Provided that of the amounts appropriated out of the public utilities commission special fund for the public utilities commission (CCA901):
(1) The sum of $500,000 or so much thereof as may be necessary for fiscal year 2019-2020 and $2,060,000 or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended to fund the development of a document management system and corresponding licensing, maintenance, and independent verification and validation costs;

(2) The sum of $200,240 or so much thereof as may be necessary for fiscal year 2019-2020 and $195,840 or so much thereof as may be necessary for fiscal year 2020-2021 shall be expended to fund two permanent full-time equivalent positions (2.0 FTE) as authorized by Act 201, Session Laws of Hawaii 2018, to support the monitoring of motor vehicle carrier activity;

(3) The sum of $33,000 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 shall be expended for information technology equipment replacement costs; and

(4) The sum of $899,698 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 shall be expended to fund fringe benefit costs for collective bargaining and salary adjustments.

PART IV. MISCELLANEOUS AND EFFECTIVE DATE

SECTION 11. 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 this 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 the appropriation to the extent possible.

SECTION 12. If manifest clerical, typographical, or other mechanical errors are found in this Act, the governor may correct the errors.

SECTION 13. This Act shall take effect on July 1, 2019.
Report Title:
State Operating Budget; DCCA Programs; CCA103; CCA107; CCA110; CCA111; CCA112; CCA191; CCA901; CPC

Description:
Appropriates funds for the fiscal biennium 2019-2021 operating budget of Department of Commerce and Consumer Affairs programs under the purview of the House of Representatives Standing Committee on Consumer Protection and Commerce.

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