A BILL FOR AN ACT

RELATING TO THE STATE BUDGET.

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

PART I. GENERAL PROVISIONS

SECTION 1. SHORT TITLE. This Act shall be known and may be cited as the General Appropriations Act of 2019.

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

"Expending agency" means the executive department, independent commission, bureau, office, board, or other establishment of the state government (other than the legislature, Office of Hawaiian Affairs, and judiciary), the political subdivisions of the State, or any quasi-public institution supported in whole or in part by state funds, which is authorized to expend specified appropriations made by this Act.

Abbreviations, where used to denote the expending agency, shall mean the following:

AGR Department of agriculture
AGS Department of accounting and general services
| 1 | ATG | Department of the attorney general |
| 2 | BED | Department of business, economic development, and tourism |
| 3 | BUF | Department of budget and finance |
| 4 | CCA | Department of commerce and consumer affairs |
| 5 | DEF | Department of defense |
| 6 | EDN | Department of education |
| 7 | GOV | Office of the governor |
| 8 | HHL | Department of Hawaiian home lands |
| 9 | HMS | Department of human services |
| 10 | HRD | Department of human resources development |
| 11 | HTH | Department of health |
| 12 | LBR | Department of labor and industrial relations |
| 13 | LNR | Department of land and natural resources |
| 14 | LTG | Office of the lieutenant governor |
| 15 | PSD | Department of public safety |
| 16 | SUB | Subsidies |
| 17 | TAX | Department of taxation |
| 18 | TRN | Department of transportation |
| 19 | UOH | University of Hawaii |
| 20 | CCH | City and county of Honolulu |
| 21 | COH | County of Hawaii |
"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:

- A General funds
- B Special funds
- C General obligation bond fund
- D General obligation bond fund with debt service cost to be paid from special funds
- E Revenue bond funds
- J Federal aid interstate funds
- K Federal aid primary funds
- L Federal aid secondary funds
- M Federal aid urban funds
- N Federal funds
- P Other federal funds
- R Private contributions
- S County funds
- T Trust funds
PART 1. 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 agencies 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 ceiling. The "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

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"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.
1 ceilings indicated for each fiscal year, except as provided
2 elsewhere in this Act or as provided by general law.
### PROGRAM APPROPRIATIONS

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## PROGRAM APPROPRIATIONS

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**5. HTH590 - CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION**

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**6. HTH595 - HEALTH RESOURCES ADMINISTRATION**

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**7. HTH210 - HAWAII HEALTH SYSTEMS CORPORATION - CORPORATE OFFICE**

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**9. HTH212 - HAWAII HEALTH SYSTEMS CORPORATION - REGIONS**

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**11. SUB601 - PRIVATE HOSPITALS AND MEDICAL SERVICES**

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**H.D. 1**

**S.D. 1**

**C.D. 1**
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28. HMS903 - GENERAL SUPPORT FOR SELF-SUFFICIENCY SERVICES
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**G. FORMAL EDUCATION**

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| OPERATING | EDN | 52,164,701N  | 52,164,701N  |
| OPERATING | EDN | 6,00*        | 6,00*        |

3. EDN200 - INSTRUCTIONAL SUPPORT

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| OPERATING | EDN | 11.00*      | 11.00*      |
| OPERATING | EDN | 2,369,088B  | 2,382,128B  |
| OPERATING | EDN | 500,000N    | 500,000N    |
| OPERATING | EDN | 273,794P    | 273,794P    |

4. EDN300 - STATE ADMINISTRATION

| OPERATING | EDN | 53,287,938A | 53,958,887A |
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5. EDN400 - SCHOOL SUPPORT
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## PROGRAM APPROPRIATIONS

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### Notes
- Column 1: Item number
- Column 2: Program number
- Column 3: ID
- Column 4: Program name
- Column 5: Expenditure agency
- Column 6: Fiscal year 2019-2020
- Column 7: Fiscal year 2020-2021

### Additional Information
- The document appears to be a budget report or appropriation document for various programs, with details including program numbers, agency names, and expenditure amounts for two fiscal years.
## PROGRAM APPROPRIATIONS

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<tr>
<th>ITEM NO.</th>
<th>PROG. NO.</th>
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HB2 CD1
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*OPERATING*
PART III. PROGRAM APPROPRIATION PROVISIONS

ECONOMIC DEVELOPMENT

SECTION 4. Provided that the Hawaii community development authority shall submit a comprehensive transition plan and proposed legislation to transfer control of the authority's Kakaako development district twenty days prior to the convening of the regular session of 2020.

FORMAL EDUCATION

SECTION 5. Provided that of the general fund appropriation for state administration (EDN300), the sum of $1,100,000 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 shall be expended to support the existing alternative teacher preparation program that provides recruitment, certification, and professional development services to strengthen the pipeline of teachers and leaders in underserved communities; provided further that any funds not expended for this purpose shall lapse to the general fund.

PUBLIC SAFETY

SECTION 6. Provided that of the general fund appropriation for amelioration of physical disasters (DEF110), the sum of
$5,000,000 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 relief from major disasters pursuant to section 127A-11, Hawaii Revised Statutes; provided further that any funds not expended for this purpose shall lapse to the general fund.

GOVERNMENT-WIDE SUPPORT

SECTION 7. Provided that of the general fund appropriation for the office of the governor (GOV100), the sum of $10,000 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 used for the governor's "contingent fund" pursuant to section 37-71(f), Hawaii Revised Statutes; provided further that these funds may be transferred to other programs and agencies and allotted, with the approval of the governor, to meet contingencies as they arise.

SECTION 8. Provided that of the general fund appropriation for vacation payout - statewide (BUF103), the sum of $9,700,000 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 the purposes of
reimbursing all executive departments and agencies for vacation payouts for general funded employees who have left the employ of the executive branch; provided further that any unexpended funds shall lapse to the general fund at the end of the respective fiscal year for which the appropriation was made; provided further that the department of budget and finance shall only expend up to $9,700,000 for vacation payouts and any additional expenses incurred above this amount shall be the responsibility of the individual departments and agencies.

SECTION 9. Provided that of the general fund appropriations for debt service payments (BUF721-BUF728), the following sums specified in fiscal biennium 2019-2021 shall be expended for principal and interest payments on general obligation bonds only as follows:

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<th>Program I.D.</th>
<th>FY 2019-2020</th>
<th>FY 2020-2021</th>
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<td>BUF721</td>
<td>$395,538,560</td>
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<td>BUF725</td>
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<td>BUF728</td>
<td>$126,237,547</td>
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provided further that unrequired balances may be transferred only to retirement benefits payments (BUF741-BUF748) and health premium payments (BUF761-BUF768); provided further that the
funds shall not be expended for any other purpose; provided further that any unexpended funds shall lapse into the general fund at the end of the respective fiscal year for which the appropriation was made.

SECTION 10. Provided that of the general fund appropriations for retirement benefits payments (BUF741-BUF748), the following sums specified in fiscal biennium 2019-2021 shall be expended for the state employer's share of the employee's retirement pension accumulation and the social security/medicare payment for employees only as follows:

<table>
<thead>
<tr>
<th>Program I.D.</th>
<th>FY 2019-2020</th>
<th>FY 2020-2021</th>
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<tbody>
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<td>BUF748</td>
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provided further that unrequired balances may be transferred only to debt service payments (BUF721-BUF728) and health premium payments (BUF761-BUF768); provided further that the funds shall not be expended for any other purpose; provided further that any unexpended funds shall lapse into the general fund at the end of the respective fiscal year for which the appropriation was made.
SECTION 11. Provided that of the general fund appropriations for health premium payments (BUF761-BUF768), the following sums specified in fiscal biennium 2019-2021 shall be expended for the state employer's share of health premiums for active employees and retirees only as follows:

<table>
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<th>Program I.D.</th>
<th>FY 2019-2020</th>
<th>FY 2020-2021</th>
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<td>$119,680,888</td>
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<td>BUF768</td>
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provided further that unrequired balances may be transferred only to debt service payments (BUF721-BUF728) and retirement benefits payments (BUF741-BUF748); provided further that the funds shall not be expended for any other purpose; provided further that any unexpended funds shall lapse into the general fund at the end of the respective fiscal year for which the appropriation was made.

PART IV. SPECIAL PROVISIONS

SECTION 12. Notwithstanding any provision in part III of this Act, the governor may transfer savings or unrequired balances as may be available from the appropriated funds of any
program in this Act to supplement the appropriation for any
other program in this Act to cope with the effects of natural
disasters or other unforeseen emergencies; provided that the
effects of the natural disasters or emergencies create an urgent
need to pursue a course of action that is in the best interest
of the State; provided further that the use of these funds does
not conflict with general law; provided further that no funds
shall be expended without a formal declaration of a natural
disaster or emergency by the governor.

SECTION 13. No appropriation authorized in this Act for
expenditure by a political subdivision of this State shall be
considered to be a mandate to undertake new programs or to
increase the level of services under existing programs of that
political subdivision. If any appropriation authorized in this
Act constitutes such a mandate within the provisions of section
5 of article VIII of the Hawaii State Constitution such
authorization shall be void.

SECTION 14. Whenever the expending agency to which an
appropriation is made is changed due to legislation enacted
during any session of the legislature, which affects the
appropriations made by this Act, the governor shall transfer the
necessary funds and positions to the proper expending agency as provided by law.

SECTION 15. If the State should assume the direct operation of any non-governmental agency receiving state funds under the provisions of this Act, all related state funds shall constitute a credit to the State against the costs of acquiring all or any portion of the property, real, personal, or mixed, of the non-governmental agency. This credit shall be applicable regardless of when the acquisition takes place.

SECTION 16. Any provision of this Act to the contrary notwithstanding, the federal fund or other federal fund appropriations made for operating costs authorized under this Act shall not lapse at the end of the fiscal year for which the appropriation is made; provided that all federal fund or other federal fund appropriations made to be expended in fiscal year 2019-2020 which are unencumbered as of June 30, 2022 shall lapse as of that date and fiscal year 2020-2021 which are unencumbered as of June 30, 2023 shall lapse as of that date.

SECTION 17. If unanticipated federal funding cutbacks diminish or curtail essential, federally funded state programs, the governor may utilize savings as determined to be available
from other state programs for the purpose of maintaining the
programs until the next legislative session.

SECTION 18. The governor may approve the expenditure of
all federal funds that are in excess of levels authorized by the
legislature; provided that the governor may allow for an
increase in the appropriate federal fund authorization ceiling
for the program to accommodate the expenditure of the funds.

SECTION 19. Any provision of this Act to the contrary
notwithstanding, the governor may approve the extension of the
lapse dates for federal fund or other federal fund
appropriations and appropriations of other means of financing,
except general funds, deemed necessary to qualify for federal
aid financing and/or reimbursement, provided in this Act or
authorized by the governor pursuant to section 18 of this Act as
necessary to meet the intent of the federal grant awards.

SECTION 20. Where an agency is authorized to secure funds
or other property from private organizations or individuals to
be expended or utilized in connection with any authorized
program, the agency, with the governor's approval, may enter
into the undertaking; provided that the provisions of the
undertaking comply with applicable state constitutional and statutory requirements.

SECTION 21. Except as otherwise provided by general law, negotiations for the purchase of land by state agencies shall be subject to the approval of the governor and the department of land and natural resources, or other appropriate agency; provided that private lands may be acquired for the purpose of exchange for federal lands when the department of land and natural resources and the governor determine that the acquisition and exchange are necessary for the completion of any project specifically authorized by this Act.

SECTION 22. Except as otherwise provided, or except as prohibited by specific grant conditions, all federal or non-general fund reimbursements received by state programs shall be returned to the general fund or fund of originating expenses.

SECTION 23. Unless otherwise provided in this Act, each department or agency may transfer operating funds between appropriations within the same fund, within an expending agency, for operating purposes; provided that the department or agency shall submit a report to the legislature and the department of budget and finance within five days of each use of this
authority; provided further that the report shall include the date of transfer, the amount of the transfer, the program ID from which funds were transferred, the program ID to which funds were transferred, the impact to the program ID the funds are transferred from, and a detailed explanation of the public purposes served by the transfer of resources; provided further that each department shall submit to the legislature a summary report containing the aforementioned information for each use of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the regular sessions of 2020 and 2021.

SECTION 24. Except as otherwise provided in this Act, each department or agency may transfer positions within its respective authorized position ceiling for the purpose of maximizing the utilization of personnel resources and staff productivity; provided that all of these actions shall be consistent with appropriations provided in this Act and with provisions of part II of chapter 37, Hawaii Revised Statutes; provided further that each department shall submit a report to the legislature within five days of each use of this authority; provided further that the report shall include the date of the
transfer, the position transferred, the program from which the position was transferred, the program to which the position was transferred, responsibilities of the position prior to transfer, the responsibilities of the position after the transfer, and the manner in which the transfer maximizes the utilization of personnel resources and staff productivity; provided further that each department shall submit to the legislature a summary report of all uses of this authority for the previous twelve month period from December 1 to November 30 no later than thirty days prior to the convening of the regular sessions of 2020 and 2021.

SECTION 25. Any law or provision to the contrary notwithstanding, in expending funds for social welfare programs, education programs, and other programs and agencies having appropriations that are based on population and workload data as specified in the executive budget document, only so much as is necessary to provide the level of services intended by the legislature shall be expended. Affected agencies shall reduce expenditures below appropriations under procedures prescribed by the department of budget and finance if the actual population and workload trends are less than the figures projected.
SECTION 26. With the approval of the governor, expending agencies that use appropriations authorized in part II of this Act for audit services may delegate that responsibility and transfer funds to internal post audit (AGS104) when it is determined by the agencies that it is advantageous to do so.

SECTION 27. Except as otherwise provided by law, agencies with appropriations authorized in part II of this Act for risk management costs shall transfer funds authorized for that purpose to risk management (AGS203) for the administration and implementation of state risk management costs and expenses.

SECTION 28. With the approval of the governor, the Hawaii health systems corporation in the department of health may transfer to the department of human services funds appropriated to the Hawaii health systems corporation for the care and treatment of patients whenever the department of human services can utilize the funds to match federal funds that may be available to help finance the cost of outpatient, acute hospital, or long term care of indigents or medical indigents in designated critical access hospitals.

SECTION 29. With the approval of the governor, the department of health may transfer to the department of human
services funds appropriated to the department of health for the
care and treatment of patients whenever the department of human
services can utilize the funds to match federal funds to finance
the cost of outpatient, hospital, or skilled nursing home care
of indigents or medical indigents.

SECTION 30. The department of human services may enter
into agreements with the department of health to furnish
outpatient, hospital, and skilled nursing home care of indigents
or medical indigents and to pay the department of health for the
care; provided that with the approval of the director of
finance, the department of health may deposit part of the
receipts into the appropriations from which transfers were made
as provided elsewhere in this Act.

SECTION 31. Provided that of the appropriation for each
principal state department, as defined by section 26-4, Hawaii
Revised Statutes, the sum of $2,500 for fiscal year 2019-2020
and the same sum for fiscal year 2020-2021 shall be made
available in each department to be established as a separate
account for a protocol fund to be expended at the discretion of
the executive head of the department or agency (i.e., director,
chairperson, comptroller, adjutant general, superintendent,

president, or attorney general).

SECTION 32. Provided that of the general fund
appropriation for Hawaii state public library system (EDN407),
the sum of $2,500 for fiscal year 2019-2020 and the same sum for
fiscal year 2020-2021 may be used to establish a separate
account for a protocol fund to be expended at the discretion of
the state librarian.

SECTION 33. Provided that of the general fund
appropriation for financial administration (BUF115), the sum of
$4,000 for fiscal year 2019-2020 and the same sum for fiscal
year 2020-2021 may be used to establish a separate account for a
protocol fund to be expended at the discretion of the director
of finance for the promotion and improvement of state bond
ratings and sales.

SECTION 34. Provided that of the special fund
appropriation for spectator events and shows - aloha stadium
(AGS889), the sum of $2,500 for fiscal year 2019-2020 and the
same sum for fiscal year 2020-2021 may be expended at the
discretion of the stadium manager for the promotion of spectator
events and shows and other stadium related purposes.
SECTION 35. Except as otherwise provided, the appropriation for the office of the governor (GOV100) shall be expended at the discretion of the governor.

SECTION 36. Except as otherwise provided, the appropriation for the office of the lieutenant governor (LTG100) shall be expended at the discretion of the lieutenant governor.

SECTION 37. Provided that of the appropriations authorized for executive programs in part II of this Act for fiscal year 2019-2020 and fiscal year 2020-2021, settlements and judgments approved by the legislature in the final version of House Bill No. 942, Making Appropriations for Claims Against the State, Its Officers, or Its Employees, shall be funded within each program's departmental allocation for the respective fiscal year.

SECTION 38. Provided that the amount of settlements and judgments approved by the legislature in the final version of House Bill No. 942, Making Appropriations for Claims Against the State, Its Officers, or Its Employees, exceeds program allocations for fiscal year 2019-2020 or fiscal year 2020-2021, as applicable, for the purposes of meeting these obligations:
(1) A department, with the approval of the governor, may utilize allocated savings determined to be available from any other program within the department; and

(2) Unless otherwise provided by general law, the governor may transfer funds between allocations of appropriations within a department for the purposes of paying settlements and judgments of a program.

SECTION 39. The director of finance may expend general fund, special fund, and revolving fund savings or balances determined to be available from authorized general fund, special fund, and revolving fund program appropriations up to an aggregate total of $20,000,000 for fiscal year 2019-2020 and $20,000,000 for fiscal year 2020-2021, for municipal lease payments under financing agreements entered into pursuant to chapter 37D, Hawaii Revised Statutes, to finance the acquisition of depreciable assets including but not limited to automobiles, computers, printers, and telecommunications equipment; provided that designated expending agencies (including the department of education and the University of Hawaii), for municipal lease payments and for depreciable assets including but not limited to automobiles, computers, printers, and telecommunications equipment.
equipment authorized in this Act, may delegate to the director
of finance the implementation of the acquisitions when it is
determined by all involved agencies that it is advantageous to
do so.

SECTION 40. Notwithstanding any provision in part III of
this Act, the governor may transfer savings or unrequired
balances as may be available of general funds from any program
in this Act to supplement the department of land and natural
resources' firefighter's contingency fund; provided that these
funds shall be used to prevent, control, and extinguish wildland
fires within forest reserves, public hunting areas, wildlife and
plant sanctuaries, and natural area reserves, and to fulfill
mutual aid agreements in cooperation with fire control agencies
of the counties and federal government.

SECTION 41. Provided that the director of finance shall
ensure that non-facility per pupil general fund amounts
allocated for department of education and charter school
students are equal on an annualized fiscal year basis; provided
further that, for the purposes of this section, all general fund
appropriations for school-based budgeting (EDN100),
instructional support (EDN200), state administration (EDN300),
and school support (EDN400) shall be considered non-facility appropriations for department of education; provided further that for the purposes of this section, the general fund appropriation for charter schools (EDN600) shall be considered the non-facility appropriation for charter schools; provided further that, for the purposes of this section, all grant appropriations issued pursuant to chapter 42F, Hawaii Revised Statutes, shall be excluded from non-facility appropriations for the department of education and charter schools; provided further that, notwithstanding any other law to the contrary, for fiscal year 2019-2020 and fiscal year 2020-2021, the director of finance shall:

(1) Determine the sum of general fund appropriations made for the department of education and charter school student non-facility costs;

(2) Determine the sum of department of education and charter school student enrollment based upon verified actual student enrollment counts as of October 15;

(3) Determine a per pupil amount by dividing the sum of general fund appropriations determined under paragraph
(1) by the sum of student enrollment determined under paragraph (2);

(4) Transfer a general fund amount between the department of education and charter schools prior to November 1, 2019, and November 1, 2020, respectively, that shall provide each with a per pupil allocation equal to the amount determined on an annualized fiscal year basis under paragraph (3); and

(5) Account for all calculations and transfers made pursuant to this section in a report to the legislature, governor, department of education, and charter schools within ten days of any transfer made pursuant to this section.

SECTION 42. (a) Provided that, pursuant to section 37-74(f), Hawaii Revised Statutes, no funds shall be expended to fill a permanent or temporary position for the lowest level of the program if the filling of that position causes the position ceiling for that level of the program to be exceeded; provided further that this prohibition shall not apply to a:

(1) Position established by the University of Hawaii or the Hawaii health systems corporation;
(2) Position that is entirely federally funded;

(3) Position necessary for compliance without undue delay with a court order or decree if the director of human resources development determines that the recruitment through normal civil service procedures would result in delay or noncompliance;

(4) Position approved by the governor for a special, research, or demonstration project of an agency;

(5) Position approved by the governor to perform an emergency management function under the department of defense pursuant to the authority of section 127A-12(b)(9), Hawaii Revised Statutes;

(6) Casual hire position;

(7) Vicing position;

(8) Position established by an agency pursuant to express statutory authority to establish the position; and

(9) Position established by an agency for a program or project funded by an appropriation in an act other than a general or supplemental appropriations act.

(b) Provided further that with regard to any of the positions identified in subsection (a)(1), (2), (3), (4), (5), (6), (7), (8), and (9),
(8), and (9), the respective agency or department shall submit a report to the legislature within five days of each use of the authority established in this section; provided further that the report shall include the:

1. Authority used to establish the position;
2. Date the position was established;
3. Projected date the position will be filled;
4. Amounts projected to be expended in fiscal year 2019-2020 and in fiscal year 2020-2021;
5. Source of funds used to pay for the position; and
6. Functions to be performed by the position.

SECTION 43. If the governor imposes a restriction on an allotment to the department of accounting and general services that may affect the expenditure of the appropriation for school repair and maintenance, neighbor island districts (AGS807), the comptroller shall consult with the superintendent of education before enforcing the restriction.

SECTION 44. Notwithstanding any law to the contrary, provided that position ceilings and funds appropriated in any other Act deemed necessary for the operations of a program 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), for program execution and expenditure; provided that the transferred appropriations shall be subject to the provisions of the General Appropriations Act of 2019; and provided further that the transferred appropriations shall be incorporated into all budgetary details of the General Appropriations Act of 2019.

PART V. MISCELLANEOUS AND EFFECTIVE DATE

SECTION 45. 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 46. If manifest clerical, typographical, or other mechanical errors are found in this Act, the governor may correct the errors.

SECTION 47. This Act shall take effect on July 1, 2019.
Report Title:
State Budget

Description:
Appropriates funds for the operating budget of the Executive Branch for fiscal years 2019-2020 and 2020-2021. (HB2 CD1)

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