
A BILL FOR AN ACT

RELATING TO APPROPRIATIONS.

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

PART I

1
2 SECTION 1. The legislature finds that the virus known as
3 "SARS-CoV-2" causes a disease named "coronavirus disease 2019"
4 (COVID-19), which was first detected in Wuhan City, Hubei
5 Province, China, in December 2019. This respiratory disease has
6 since spread globally to more than two hundred countries,
7 including the United States. On March 11, 2020, the World
8 Health Organization declared the outbreak of COVID-19 to be a
9 pandemic.

10 In February 2020, the department of health was notified of
11 a Japanese national who developed severe symptoms, sought
12 medical care, and was tested and diagnosed with COVID-19 upon
13 returning home after a trip to Hawaii that involved travel to
14 both Maui and Oahu. The first positive case of COVID-19 in
15 Hawaii was confirmed on March 6, 2020. Since then, over six
16 hundred COVID-19 cases have been confirmed in the State.



1 The Coronavirus Aid, Relief, and Economic Security Act
2 (CARES Act), Public Law 116-136, was enacted on March 27, 2020,
3 to address the extensive economic fallout of the COVID-19
4 pandemic. Among its provisions, Division A, Title V of the
5 CARES Act provided \$1,250,000,000 to Hawaii for expenditures
6 that are:

- 7 (1) Necessary and incurred due to the public health
8 emergency with respect to COVID-19;
- 9 (2) Not accounted for in the budget most recently approved
10 as of March 27, 2020, for state government; and
- 11 (3) Incurred between March 1, 2020, and December 30, 2020.

12 Accordingly, the purpose of this part is to appropriate
13 funds received by the State from the CARES Act for the purpose
14 of COVID-19 response activities and provide transparency and
15 accountability for the use of those funds.

16 SECTION 2. There is appropriated out of the funds received
17 by the State of Hawaii from the Coronavirus Aid, Relief, and
18 Economic Security Act, Public Law 116-136, the sum of
19 \$40,000,000 or so much thereof as may be necessary for fiscal
20 year 2019-2020 to be used for coronavirus disease 2019, or
21 COVID-19, response conducted pursuant to Public Law 116-136 and



1 associated guidance issued by appropriate federal agencies;
 2 provided that any COVID-19 related law enforcement activities
 3 are conducted in consultation with the attorney general;
 4 provided further that beginning June 1, 2020, a monthly report
 5 shall be submitted to the governor and the legislature that
 6 details all allocations and expenditures.

7 The sum appropriated shall be expended by the department of
 8 defense for the purposes of this section.

9 SECTION 3. There is appropriated out of the funds received
 10 by the State of Hawaii from the Coronavirus Aid, Relief, and
 11 Economic Security Act, Public Law 116-136, the sum of \$1,360,000
 12 or so much thereof as may be necessary for fiscal year 2019-2020
 13 to be used for the pandemic unemployment assistance program
 14 pursuant to Public Law 116-136 and associated guidance issued by
 15 appropriate federal agencies; provided that beginning June 1,
 16 2020, a monthly report shall be submitted to the governor and
 17 the legislature that details all allocations and expenditures.

18 The sum appropriated shall be expended by the department of
 19 labor and industrial relations for the purposes of this section.

20 SECTION 4. There is appropriated out of the funds received
 21 by the State of Hawaii from the Coronavirus Aid, Relief, and



1 Economic Security Act, Public Law 116-136, the sum of \$8,154,000
2 or so much thereof as may be necessary for fiscal year 2019-2020
3 to be used for information technology, systems, and staffing
4 pursuant to Public Law 116-136 and associated guidance issued by
5 appropriate federal agencies; provided that beginning June 1,
6 2020, a monthly report shall be submitted to the governor and
7 the legislature that details all allocations and expenditures.

8 The sum appropriated shall be expended by the department of
9 labor and industrial relations for the purposes of this section.

10 SECTION 5. The following positions are authorized to be
11 funded by federal funds received pursuant to Public Law 116-136
12 by the department of labor and industrial relations:

13 (1) Three full-time equivalent (3.0 FTE) hearings
14 officers;

15 (2) Thirty full-time equivalent (30.0 FTE) claims
16 assistants; and

17 (3) Nine full-time equivalent (9.0 FTE) auditors;

18 provided that beginning June 1, 2020, a monthly report shall be
19 submitted to the governor and the legislature on the status of
20 these positions.



1 SECTION 6. There is appropriated out of the funds received
 2 by the State of Hawaii from the Coronavirus Aid, Relief, and
 3 Economic Security Act, Public Law 116-136, the sum of \$2,000,000
 4 or so much thereof as may be necessary for fiscal year 2019-2020
 5 to be used for information technology and other systems pursuant
 6 to Public Law 116-136 and associated guidance issued by
 7 appropriate federal agencies; provided that beginning June 1,
 8 2020, a monthly report shall be submitted to the governor and
 9 the legislature that details all allocations and expenditures.

10 The sum appropriated shall be expended by the department of
 11 human services for the purposes of this section.

PART II

13 SECTION 7. The legislature finds that the Coronavirus Aid,
 14 Relief, and Economic Security Act (CARES Act), Public Law
 15 116-136, provided \$1,250,000,000 to Hawaii. Of this amount,
 16 only the city and county of Honolulu received a direct
 17 allocation of \$387,176,021.

18 The CARES Act also provided an expansion of the Federal
 19 Reserve's Municipal Liquidity Facility program, which can
 20 provide up to \$500,000,000,000 in direct financing to states,
 21 counties, and cities to help ensure they have the funds



1 necessary to provide essential services and respond to the
 2 coronavirus pandemic. Specifically, the Municipal Liquidity
 3 Facility program is designed to help offset any short-term
 4 losses in tax revenues resulting from reduced business and
 5 consumer activity due to the coronavirus pandemic. The city and
 6 county of Honolulu has been granted access to \$550,500,000 in
 7 loan capacity through this program. The counties of Hawaii,
 8 Maui, and Kauai can only access this program via state
 9 authorization and application.

10 In order to assist all counties and ensure that all
 11 counties have access to these fiscal options, the purpose of
 12 this part is to:

- 13 (1) Distribute a portion of the State's share of CARES Act
 14 funding to the counties of Hawaii, Maui, and Kauai;
 15 and
- 16 (2) Provide a means by which the counties can utilize the
 17 Municipal Liquidity Facility program.

18 SECTION 8. There is appropriated out of the funds received
 19 by the State of Hawaii from the Coronavirus Aid, Relief, and
 20 Economic Security Act, Public Law 116-136, the sum of
 21 \$80,009,671 or so much thereof as may be necessary for fiscal



1 year 2019-2020 to be used for coronavirus disease 2019, or
2 COVID-19, response conducted pursuant to Public Law 116-136 and
3 associated guidance issued by appropriate agencies; provided
4 that:

5 (1) The county of Hawaii shall coordinate with the
6 department of health and appropriate medical and
7 nursing professionals when implementing contact
8 tracing and testing programs;

9 (2) The mayor of the county of Hawaii shall consult with
10 the Hawaii county council before expending any of the
11 funds appropriated by this section; and

12 (3) Beginning June 1, 2020, the county of Hawaii shall
13 submit a monthly report to the governor and the
14 legislature that details all allocations and
15 expenditures.

16 The sum appropriated shall be expended by the county of
17 Hawaii for the purposes of this section.

18 SECTION 9. There is appropriated out of the funds received
19 by the State of Hawaii from the Coronavirus Aid, Relief, and
20 Economic Security Act, Public Law 116-136, the sum of
21 \$66,598,757 or so much thereof as may be necessary for fiscal



1 year 2019-2020 to be used for coronavirus disease 2019, or
2 COVID-19, response conducted pursuant to Public Law 116-136 and
3 associated guidance issued by appropriate agencies; provided
4 that:

- 5 (1) The county of Maui shall coordinate with the
6 department of health and appropriate medical and
7 nursing professionals when implementing contact
8 tracing and testing programs;
- 9 (2) The mayor of the county of Maui shall consult with the
10 Maui county council before expending any of the funds
11 appropriated by this section; and
- 12 (3) Beginning June 1, 2020, the county of Maui shall
13 submit a monthly report to the governor and the
14 legislature that details all allocations and
15 expenditures.

16 The sum appropriated shall be expended by the county of
17 Maui for the purposes of this section.

18 SECTION 10. There is appropriated out of the funds
19 received by the State of Hawaii from the Coronavirus Aid,
20 Relief, and Economic Security Act, Public Law 116-136, the sum
21 of \$28,715,551 or so much thereof as may be necessary for fiscal



1 year 2019-2020 to be used for coronavirus disease 2019, or
2 COVID-19, response conducted pursuant to Public Law 116-136 and
3 associated guidance issued by appropriate agencies; provided
4 that:

5 (1) The county of Kauai shall coordinate with the
6 department of health and appropriate medical and
7 nursing professionals when implementing contact
8 tracing and testing programs;

9 (2) The mayor of the county of Kauai shall consult with
10 the Kauai county council before expending any of the
11 funds appropriated by this section; and

12 (3) Beginning June 1, 2020, the county of Kauai shall
13 submit a monthly report to the governor and the
14 legislature that details all allocations and
15 expenditures.

16 The sum appropriated shall be expended by the county of
17 Kauai for the purposes of this section.

18 SECTION 11. The director of finance is authorized to issue
19 instruments of indebtedness in the sum of \$2,100,000,000 or so
20 much thereof as may be necessary for fiscal year 2020-2021 and
21 the same sum or so much thereof as may be necessary is



1 appropriated for fiscal year 2020-2021 for the purpose of
2 municipal liquidity facility under section 13(3) of the Federal
3 Reserve Act, codified at 12 United States Code section 343(3).

4 PART III

5 SECTION 12. The Paycheck Protection Program and Health
6 Care Enhancement Act (PPHCEA), Public Law 116-139, was enacted
7 on April 24, 2020, to further address the extensive fallout of
8 the COVID-19 pandemic. This Act provided \$11,000,000,000 to
9 states and other entities for necessary expenses to:

- 10 (1) Develop, purchase, administer, process, and analyze
11 COVID-19 tests, including support for workforce,
12 epidemiology, and use by employers or in other
13 settings;
- 14 (2) Scale up of testing by public health, academic,
15 commercial, and hospital laboratories, and community-
16 based testing sites, health care facilities, and other
17 entities engaged in COVID-19 testing, and
- 18 (3) Conduct surveillance, trace contacts, and other
19 activities related to COVID-19 testing.

20 The State will receive \$50,283,598 for these activities
21 pursuant to Public Law 116-139.



1 The purpose of this part is to make appropriations for
2 testing, contact tracing, thermal screening, and other efforts.

3 SECTION 13. There is appropriated out of the funds
4 received by the State of Hawaii from the Paycheck Protection
5 Program and Health Care Enhancement Act, Public Law 116-139, the
6 sum of \$36,000,000 or so much thereof as may be necessary for
7 fiscal year 2019-2020 to be used for thermal screening programs
8 pursuant to Public Law 116-139 and associated guidance issued by
9 appropriate federal agencies; provided that beginning June 1,
10 2020, a monthly report shall be submitted to the governor and
11 the legislature that details all allocations and expenditures.

12 The sum appropriated shall be expended by the department of
13 transportation for the purposes of this section.

14 SECTION 14. There is appropriated out of the funds
15 received by the State of Hawaii from the Paycheck Protection
16 Program and Health Care Enhancement Act, Public Law 116-139, the
17 sum of \$14,000,000 or so much thereof as may be necessary for
18 fiscal year 2019-2020 to be used for outbreak control, contact
19 tracing programs, and personal protective equipment, pursuant to
20 Public Law 116-139 and associated guidance issued by appropriate
21 federal agencies; provided that beginning June 1, 2020, a



1 monthly report shall be submitted to the governor and the
2 legislature that details all allocations and expenditures.

3 The sum appropriated shall be expended by the department of
4 health for the purposes of this section.

5 PART IV

6 SECTION 15. There is appropriated out of the funds
7 received by the State of Hawaii from the Coronavirus Aid,
8 Relief, and Economic Security Act, Public Law 116-136, the sum
9 of \$635,986,000 to be deposited into the emergency and budget
10 reserve fund; provided that all moneys deposited into the
11 emergency and budget reserve fund pursuant to this section shall
12 be kept in a separate and distinct account within the emergency
13 and budget reserve fund.

14 PART V

15 SECTION 16. This Act, upon its approval, shall take effect
16 on May 1, 2020; provided that section 11 shall take effect on
17 July 1, 2020.



Report Title:

CARES Act; Paycheck Protection Program and Health Care Enhancement Act; Coronavirus Disease 2019; Municipal Liquidity Facility; Counties; Appropriation

Description:

Appropriates funds designated for the State by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to the counties of Hawaii, Maui, and Kauai; the departments of Defense, Labor and Industrial Relations, and Human Services; and the Office of the Governor for the public health response to the coronavirus disease 2019, or COVID-19, outbreak. Transfers remaining CARES Act funding to the emergency and budget reserve fund. Authorizes the issuance of instruments of indebtedness for the purpose of municipal liquidity facility under section 13(3) of the Federal Reserve Act. Appropriates funds designated for the State by the Paycheck Protection Program and Health Care Enhancement Act to the departments of Transportation and Health for testing, contact tracing, thermal screening, and other efforts. Effective 5/1/2020; provided that the authorization for the issuance of instruments of indebtedness is effective 7/1/2020. (SB75 HD1)

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

