



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

March 2, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

For your information and consideration, I am transmitting herewith two (2) copies of the Director of Finance's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007, as amended by Act 213, SLH 2008, the Supplemental Appropriations Act of 2008. Pursuant to Act 231, SLH 2001, I am also informing you that the reports may be viewed electronically at <http://hawaii.gov/budget/LegReports/>.

Sincerely,

LINDA LINGLE

Enclosures



EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE
GOVERNOR

March 2, 2009

The Honorable Calvin K.Y. Say, Speaker
and Members of the House of Representatives
Twenty-Fifth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Mr. Speaker and Members of the House:

For your information and consideration, I am transmitting herewith two (2) copies of the Director of Finance's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007, as amended by Act 158, SLH 2008, the Supplemental Appropriations Act of 2008. Pursuant to Act 231, SLH 2001, I am also informing you that the reports may be viewed electronically at <http://hawaii.gov/budget/LegReports/>.

Sincerely,

LINDA LINGLE

Enclosures

**DIRECTOR OF FINANCE'S REPORTS TO LEGISLATURE
PURSUANT TO
ACT 213, SLH 2007, GENERAL APPROPRIATIONS ACT OF 2007
AS AMENDED BY
ACT 158, SLH 2008, SUPPLEMENTAL APPROPRIATIONS ACT OF 2008**

SECTION 173. Any law or provision to the contrary notwithstanding, in expending funds for social welfare programs, education programs, and other programs and agencies having appropriations which 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 in the event actual population and workload trends are less than the figures projected; and provided that the department of budget and finance shall notify the legislature within five business days of each application of this proviso and submit a report of all applications of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the 2008 and 2009 regular sessions.

No activity to report.

SECTION 177. 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 such funds to match federal funds which 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; provided that the director of finance shall notify the legislature within five days of each use of this proviso and submit a report to the legislature of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the 2008 and 2009 regular sessions.

No activity to report.

SECTION 191. Provided that no funds, including federal funds, shall be expended to fill any position not authorized by the legislature; provided further that this prohibition shall not apply to:

- (1) The University of Hawaii and the Hawaii health systems corporation;
- (2) Positions entirely federally funded;
- (3) Positions established pursuant to section 76-16(b) subsections (3), (13), (21), and (23), Hawaii Revised Statutes; or
- (4) Where an agency has explicit statutory authorization to establish positions to accomplish necessary functions;

provided further that with regard to any of the positions identified in paragraphs (1), (2), (3), or (4), the respective agency or department shall submit a report to the legislature within ten days of each use of this provision; provided further that the report shall include:

- (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 2007-2008 and in fiscal year 2008-2009;
- (5) Source of funds used to pay for the position; and
- (6) Functions to be performed by the position;

and provided further that the department of budget and finance shall submit to the legislature a summary report of all uses of this proviso for the previous twelve month period from December 1 to November 30 no later than twenty days prior to the convening of the 2008 and 2009 regular sessions.

No activity to report.