



GOV. MSG. NO. 402

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

February 12, 2007

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

Dear Madam President and Members of the Senate:

I am transmitting herewith SB638 SD1, without my approval, and with the statement of objections relating to the measure.

SB638 SD1

A BILL FOR AN ACT RELATING TO MAKING
APPROPRIATIONS TO PROVIDE FOR THE EXPENSES
OF THE LEGISLATURE, THE AUDITOR, THE
LEGISLATIVE REFERENCE BUREAU, AND THE
OMBUDSMAN.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

February 12, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 638

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 638, entitled "A Bill for an Act Making Appropriations to Provide for the Expenses of the Legislature, the Auditor, the Legislative Reference Bureau, and the Ombudsman." This bill appropriates moneys for session and nonsession expenses of both houses of the Legislature for the period up to and including June 30, 2008, including but not limited to, the 2007 regular session, and pre-session expenses and the expenses of any committee or committees established during the interim between the 2007 and 2008 regular sessions; for the expenses of the Legislative Auditor, the State Ethics Commission, the Legislative Reference Bureau, and the Office of the Ombudsman for fiscal year 2007-2008; and for defraying expenses of the legislative information system and the legislative broadcast program.

The general fund expenditure ceiling for fiscal year 2006-2007 was exceeded by Act 246, Session Laws of Hawaii 2006.

A portion of the moneys appropriated by this bill is for fiscal year 2006-2007. Section 9 of Article VII of the State Constitution provides in part: "No appropriations in excess of [the general fund expenditure] ceiling shall be authorized during any legislative session unless the legislature shall, by a two-thirds vote of the members to which each house

STATEMENT OF OBJECTIONS
SENATE BILL No. 638
Page 2

of the legislature is entitled, set forth the dollar amount and the rate by which the ceiling will be exceeded and the reasons therefor." This bill does not contain the legislative declaration required by Section 9 of Article VII of the State Constitution, and is therefore invalid.

For the foregoing reason, I am returning Senate Bill No. 638 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE
Governor of Hawaii

VETO

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

S.B. NO. 638
S.D. 1

A BILL FOR AN ACT

MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE
LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU,
AND THE OMBUDSMAN.

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

1 SECTION 1. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$7,694,360, or so
3 much thereof as may be necessary, for defraying any and all
4 session and nonsession expenses of the senate up to and
5 including June 30, 2008, including the 2007 regular session,
6 twenty-fourth legislature of the State of Hawaii, and
7 pre-session expenses and the expenses of any committee or
8 committees established during the interim between the 2007 and
9 2008 regular sessions.

10 The sum appropriated in this section shall be expended by
11 the senate.

12 SECTION 2. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$11,670,163, or so
14 much thereof as may be necessary, for defraying any and all
15 session and nonsession expenses of the house of representatives
16 up to and including June 30, 2008, including the 2007 regular



1 session, twenty-fourth legislature of the State of Hawaii, and
2 pre-session expenses and the expenses of any committee or
3 committees established during the interim between the 2007 and
4 2008 regular sessions.

5 The sum appropriated in this section shall be expended by
6 the house of representatives.

7 SECTION 3. Payment of expenses of the senate during the
8 interim between the 2007 and 2008 regular sessions shall be made
9 only with the approval of the president of the senate, and
10 payment of expenses of the house of representatives during the
11 interim between the 2007 and 2008 sessions shall be made only
12 with the approval of the speaker of the house of
13 representatives.

14 SECTION 4. Before January 16, 2008, the senate and the
15 house of representatives shall each have their accounts audited
16 and a full report of the respective audits shall be presented to
17 the senate and to the house of representatives convening on
18 January 16, 2008.

19 SECTION 5. Unless otherwise prescribed by law, the
20 expenses of any member of the legislature while traveling abroad
21 on official business of the legislature shall be \$130 a day as



1 authorized by the president of the senate and the speaker of the
2 house of representatives, respectively.

3 SECTION 6. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$3,646,810, or so
5 much thereof as may be necessary, to the office of the auditor
6 for the following expenses:

- 7 (1) The sum of \$2,692,572, for defraying the expenses of
8 the office of the auditor during fiscal year 2007-
9 2008;
- 10 (2) The sum of \$804,238, for defraying the expenses of the
11 office of the state ethics commission during fiscal
12 year 2007-2008; and
- 13 (3) The sum of \$150,000, during fiscal year 2007-2008 for:
- 14 (A) Performing special studies;
- 15 (B) Improving capabilities for planning, programming,
16 and budgeting;
- 17 (C) Fulfilling other special requests made of the
18 auditor by the legislature or jointly by the
19 president of the senate and the speaker of the
20 house of representatives;
- 21 (D) Legislative studies and contractual services for
22 those studies; and



1 (E) Such other purposes as may be determined by the
2 joint action of the president of the senate and
3 the speaker of the house of representatives.

4 The sum appropriated in this section shall be expended by
5 the auditor.

6 SECTION 7. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$4,221,820, or so
8 much thereof as may be necessary, to the office of the auditor
9 during fiscal year 2007-2008 to be deposited into the audit
10 revolving fund established pursuant to section 23-3.6, Hawaii
11 Revised Statutes.

12 SECTION 8. There is appropriated out of the audit
13 revolving fund the sum of \$5,600,438, or so much thereof as may
14 be necessary, to the office of the auditor during fiscal year
15 2007-2008, for the auditor to conduct or complete its audit
16 functions as provided by law.

17 The sum appropriated in this section shall be expended by
18 the auditor.

19 SECTION 9. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$3,223,008, or so
21 much thereof as may be necessary, to the legislative reference
22 bureau for defraying the expenses of the legislative reference



1 bureau during fiscal year 2007-2008, including equipment
2 relating to computer systems programming and operations.

3 The sum appropriated in this section shall be expended by
4 the legislative reference bureau.

5 SECTION 10. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$971,500, or so much
7 thereof as may be necessary, to the office of the ombudsman for
8 defraying the expenses of the office during fiscal year 2007-
9 2008.

10 The sum appropriated in this section shall be expended by
11 the ombudsman.

12 SECTION 11. There is appropriated out of the general
13 revenues of the State of Hawaii the following sums, or so much
14 thereof as may be necessary, for defraying the expenses of the
15 legislative information system:

16 (1) \$900,000 to the senate; and

17 (2) \$900,000 to the house of representatives.

18 This appropriation shall be used to pay for hardware, software,
19 consultant, installation, material, supply, and other related
20 costs associated with the legislative information system that
21 have been or will be incurred.



1 SECTION 12. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$175,000, or so much
3 thereof as may be necessary, for the legislative broadcast
4 program, including the production and distribution of television
5 broadcasts of legislative proceedings.

6 The sum appropriated in this section shall be expended by
7 the legislature for the purposes of this section.

8 SECTION 13. Except for moneys in the audit revolving fund,
9 as of the close of business on June 30, 2008, the unexpended or
10 unencumbered balance of any appropriation made by this Act shall
11 lapse into the general fund.

12 SECTION 14. Each section of this Act is declared to be
13 severable from the remainder of this Act.

14 SECTION 15. This Act shall take effect upon its approval.

