



EXECUTIVE CHAMBERS

HONOLULU

LINDA LINGLE
GOVERNOR

July 12, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

Re: House Bill No. 2258 HD1 SD2 CD1

On July 11, 2006, House Bill No. 2258, entitled "A Bill for an Act Relating to Human Services" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

House Bill No. 2258 requires legislative appropriation for the expenditure of Temporary Assistance to Needy Families program (TANF) funds received by the State before the Department of Human Services can expend the funds. The measure also appropriates monies for the Department of Human Services' Chore Services Program and the Department of Education's Even Start Program.

This measure is objectionable because it restricts the Executive Branch's flexibility in managing human services programs funded under the temporary assistance to needy families program and appropriates TANF funds in a manner that is illegal under federal law.

Although State departments can only expend funds appropriated by the Legislature, for many years the Legislature has felt comfortable appropriating TANF money as a lump sum. However, the Legislature now intends to interject itself into the Executive Branch decisions regarding the use of these funds. This will restrict the Executive Branch's flexibility in setting priorities for human services programs and could adversely impact the neediest citizens of Hawaii these funds are meant to help.

House Bill No. 2258 also appropriates \$1,191,058 in general funds in fiscal year 2006-2007 for the Department of Human Services' Chore Services Program and \$600,000 in temporary assistance to needy families funds in fiscal year 2006-2007 for the Department of Education's Hawaii Even Start Family Literacy Program. Even Start is an educational program funded by the United States Department of Education. As such, it cannot be funded by temporary assistance to needy families funds as these funds are prohibited by federal requirements from funding education programs.

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However, it is important that the Department of Human Services receive the approximately \$1.2 million dollars in supplemental funding for the Chore Services Program to maintain services to its existing clients.

For the foregoing reasons, I allowed House Bill No. 2258 to become law as Act 302 effective July 11, 2006 without my signature.

Sincerely,

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

LINDA LINGLE