

Approved by the Governor  
on MAY 3 2004

ACT 52

Approved: *C.K.Y. Say*

ACT 043

HOUSE OF REPRESENTATIVES  
TWENTY-SECOND LEGISLATURE, 2004  
STATE OF HAWAII

MAY - 3 2004

H.B. NO.

2743  
H.D. 2  
S.D. 1  
C.D. 1

## A BILL FOR AN ACT

RELATING TO NON-GENERAL FUNDS.

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

### PART I

SECTION 1. The legislature determines that there is in the animal quarantine special fund at least \$800,000 in excess of the requirements of the fund. On July 1, 2004, the director of finance is authorized to transfer from the animal quarantine special fund to the general fund the sum of ~~\$800,000~~ or so much thereof as may be necessary for fiscal year 2004-2005. *8022 C.K.Y. Say*  
Line item veto overridden

SECTION 2. The legislature determines that there is in the agricultural loan reserve fund at least \$900,000 in excess of the requirements of the fund. On July 1, 2004, the director of finance is authorized to transfer from the agricultural loan reserve fund to the general fund the sum of ~~\$900,000~~ or so much thereof as may be necessary for fiscal year 2004-2005. *8022 C.K.Y. Say*  
Line item veto overridden

SECTION 3. The legislature determines that there is in the stadium special fund at least \$600,000 in excess of the requirements of the fund. On July 1, 2004, the director of finance is authorized to transfer from the stadium special fund



1 to the general fund the sum of \$600,000 or so much thereof as  
2 may be necessary for fiscal year 2004-2005.

3 SECTION 4. The legislature determines that there is in the  
4 state motor pool revolving fund at least \$1,000,000 in excess of  
5 the requirements of the fund. On July 1, 2004, the director of  
6 finance is authorized to transfer from the state motor pool  
7 revolving fund to the general fund the sum of \$1,000,000 or so  
8 much thereof as may be necessary for fiscal year 2004-2005.

9 SECTION 5. The legislature determines that there is in the  
10 state identification revolving fund at least \$300,000 in excess  
11 of the requirements of the fund. On July 1, 2004, the director  
12 of finance is authorized to transfer from the state  
13 identification revolving fund to the general fund the sum of  
14 \$300,000 or so much thereof as may be necessary for fiscal  
15 year 2004-2005.

16 SECTION 6. The legislature determines that there is in the  
17 medicaid investigations recovery fund at least \$500,000 in  
18 excess of the requirements of the fund. On July 1, 2004, the  
19 director of finance is authorized to transfer from the medicaid  
20 investigations recovery fund to the general fund the sum of  
21 \$500,000 or so much thereof as may be necessary for fiscal  
22 year 2004-2005.

1       SECTION 7. The legislature determines that there is in the  
2 research subaccount of the tourism special fund at least  
3 \$200,000 in excess of the requirements of the fund. On July 1,  
4 2004, the director of finance is authorized to transfer from the  
5 research subaccount of the tourism special fund to the general  
6 fund the sum of \$200,000 or so much thereof as may be necessary  
7 for fiscal year 2004-2005.

8       SECTION 8. The legislature determines that there is in the  
9 foreign-trade zones special fund at least \$400,000 in excess of  
10 the requirements of the fund. On July 1, 2004, the director of  
11 finance is authorized to transfer from the foreign-trade zones  
12 special fund to the general fund the sum of \$400,000 or so much  
13 thereof as may be necessary for fiscal year 2004-2005.

14       SECTION 9. The legislature determines that there is in the  
15 Aloha tower fund at least \$750,000 in excess of the requirements  
16 of the fund. On July 1, 2004, the director of finance is  
17 authorized to transfer from the Aloha tower fund to the general  
18 fund the sum of \$750,000 or so much thereof as may be necessary  
19 for fiscal year 2004-2005.

20       SECTION 10. The legislature determines that there is in  
21 the Hawaii community development revolving fund at least  
22 \$10,000,000 in excess of the requirements of the fund. On

1 July 1, 2004, the director of finance is authorized to transfer  
2 from the Hawaii community development revolving fund to the  
3 general fund the sum of \$10,000,000 or so much thereof as may be  
4 necessary for fiscal year 2004-2005.

5 SECTION 11. The legislature determines that there is in  
6 the dwelling unit revolving fund at least \$10,000,000 in excess  
7 of the requirements of the fund. On July 1, 2004, the director  
8 of finance is authorized to transfer from the dwelling unit  
9 revolving fund to the general fund the sum of \$10,000,000 or so  
10 much thereof as may be necessary for fiscal year 2004-2005.

11 SECTION 12. The legislature determines that there is in  
12 the human resources development special fund at least \$150,000  
13 in excess of the requirements of the fund. On July 1, 2004, the  
14 director of finance is authorized to transfer from the human  
15 resources development special fund to the general fund the sum  
16 of \$150,000 or so much thereof as may be necessary for fiscal  
17 year 2004-2005.

18 SECTION 13. The legislature determines that there is in  
19 the environmental response revolving fund at least \$500,000 in  
20 excess of the requirements of the fund. On July 1, 2004, the  
21 director of finance is authorized to transfer from the  
22 environmental response revolving fund to the general fund the

1 sum of \$500,000 or so much thereof as may be necessary for  
2 fiscal year 2004-2005.

3 SECTION 14. The legislature determines that there is in  
4 the environmental management special fund at least \$2,000,000 in  
5 excess of the requirements of the fund. On July 1, 2004, the  
6 director of finance is authorized to transfer from the  
7 environmental management special fund to the general fund the  
8 sum of \$2,000,000 or so much thereof as may be necessary for  
9 fiscal year 2004-2005.

10 SECTION 15. The legislature determines that there is in  
11 the special land and development fund at least \$1,500,000 in  
12 excess of the requirements of the fund. On July 1, 2004, the  
13 director of finance is authorized to transfer from the special  
14 land and development fund to the general fund the sum of  
15 ~~\$1,500,000~~ *8022 C.C. say Aff* or so much thereof as may be necessary for fiscal  
16 year 2004-2005.  
Line item veto overridden

17 SECTION 16. The legislature determines that there is in  
18 the special land and development fund at least \$1,500,000 in  
19 excess of the requirements of the fund. On January 1, 2005, the  
20 director of finance is authorized to transfer from the special  
21 land and development fund to the general fund the sum of

*exc by Rem*  
1 ~~\$1,500,000~~ or so much thereof as may be necessary for fiscal  
Line item veto overridden  
2 year 2004-2005.

3 SECTION 17. The legislature determines that there is in  
4 the state highway fund at least \$11,000,000 in excess of the  
5 requirements of the fund. On July 1, 2004, the director of  
6 finance is authorized to transfer from the state highway fund to  
7 the general fund the sum of ~~\$11,000,000~~ *\$0 22 exc by Rem* or so much thereof as  
Line item veto overridden  
8 may be necessary for fiscal year 2004-2005.

9 SECTION 18. The legislature determines that there is in  
10 the state highway fund at least \$1,500,000 in excess of the  
11 requirements of the fund. On June 29, 2005, the director of  
12 finance is authorized to transfer from the state highway fund to  
13 the general fund the sum of ~~\$1,500,000~~ *\$0 22 exc by Rem* or so much thereof as may  
Line item veto overridden  
14 be necessary for fiscal year 2004-2005.

## PART II

15  
16 SECTION 19. Section 28-15, Hawaii Revised Statutes, is  
17 amended by amending subsection (c) to read as follows:

18 "(c) All unencumbered and unexpended moneys in excess of  
19 ~~[\$1,000,000]~~ \$500,000 remaining on balance in the tobacco  
20 enforcement special fund at the close of June 30 of each year  
21 shall lapse to the credit of the state general fund."

1 SECTION 20. Section 107-11, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§107-11 Parking; control by comptroller. (a) The  
4 comptroller may assess and collect reasonable fees for parking  
5 for all government officials and employees, install parking  
6 meters, and restrict and otherwise control parking on all state  
7 lands within the comptroller's jurisdiction.

8 (b) The comptroller may make such rules [~~and regulations~~]  
9 as may be found necessary to carry out the objects and  
10 provisions of this section relating to the control and  
11 restriction of parking on all lands of the State which are  
12 within the comptroller's jurisdiction. The rules [~~and~~  
13 ~~regulations~~] shall be [~~promulgated~~] adopted as provided in  
14 chapter 91.

15 (c) Any person who violates any of the rules adopted by  
16 the comptroller shall be fined not more than \$50 for each  
17 violation; provided that a person violating any provision of  
18 part III of chapter 291, or any rule adopted thereunder, shall  
19 be guilty of a traffic infraction under chapter 291D and shall  
20 be fined or otherwise penalized in accordance with part III of  
21 chapter 291.



1 (d) The comptroller is authorized to confer the powers of  
2 police officers, including the power to serve and execute  
3 warrants, arrest offenders, and serve notices and orders, to  
4 employees of the department of accounting and general services  
5 who are engaged as special officers to enforce this section.

6 (e) There is hereby created a fund to be known as the  
7 "state parking revolving fund" which shall be used to carry out  
8 the purposes of this section. Such amounts shall be expended by  
9 the comptroller from the fund, as may be necessary, to defray  
10 the cost of paving parking areas, the purchase and installation  
11 of parking meters and the operation thereof, and of other  
12 parking facilities on state land within the comptroller's  
13 jurisdiction. The state parking revolving fund shall be  
14 ~~[utilized]~~ used to conform with the special fund depository  
15 requirements under section 39-62 for all revenues and user taxes  
16 received as the result of the issuance of any state parking  
17 facility undertaking or loan program revenue bonds.

18 (f) All fees, charges, and other moneys collected pursuant  
19 to this section, and all revenues and user taxes received  
20 pursuant to section 39-62 as the result of the issuance of any  
21 state parking facility undertaking or loan program revenue bonds  
22 shall be deposited in the state parking revolving fund.

1        (g) All moneys in excess of \$500,000 remaining on balance  
2        in the state parking revolving fund on June 30 of each fiscal  
3        year shall lapse to the credit of the state general fund. On  
4        July 1 of each year, the director of finance is authorized to  
5        transfer any excess funds in the state parking revolving fund to  
6        the state general fund."

### PART III

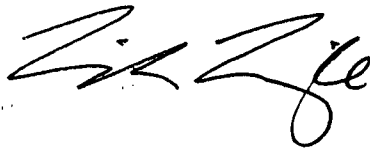
8           SECTION 21. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 22. This Act shall take effect on June 30, 2004.

H.B. NO. 2743  
HD2 SD1  
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APPROVED this 3 day of MAY, 2004

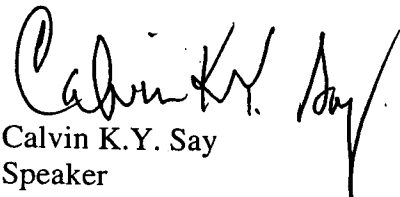
A handwritten signature in black ink, appearing to read "Liliʻuokalani", written in a cursive style.

GOVERNOR OF THE STATE OF HAWAII

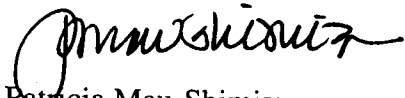
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 16, 2004  
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the House of Representatives of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004.



Calvin K.Y. Say  
Speaker  
House of Representatives

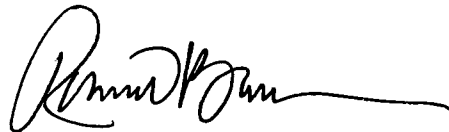


Patricia Mau-Shimizu  
Chief Clerk  
House of Representatives

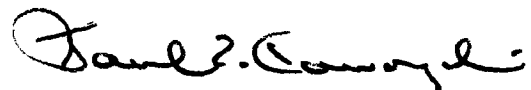
THE SENATE OF THE STATE OF HAWAII

Date: April 15, 2004  
Honolulu, Hawaii

We hereby certify that the foregoing Bill on this day passed Final Reading in the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2004.



Robert Bunda  
President of the Senate



Paul Kawaguchi  
Clerk of the Senate