

A Bill for an Act Relating to the Fund Structure of the State.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 6-5, Hawaii Revised Statutes, relating to the Captain Cook Memorial Fund, is amended to read:

“Section 6-5 Captain Cook Memorial Fund. All moneys in the Captain Cook Memorial Fund or which may be paid into the same from the proceeds of sales or which may be received by way of gift or otherwise for any of the purposes provided by this section, the acceptance of such gifts and the receipt of such funds being authorized, shall be expendable by the comptroller from time to time for any of the purposes provided by this section, and any original historical documents or other articles, or copies, facsimiles, or replicas thereof, so collected, and copies of publications made under the provisions of this section shall be deposited in the archives of Hawaii to constitute a collection to be known as the ‘Captain Cook Memorial Collection’.

The comptroller may purchase or otherwise acquire original books, mementos, pamphlets, documents, or other articles of historical value relating to the life of Captain James Cook, or connected with the history, discovery, and exploration of the Hawaiian Islands, or copies, facsimiles, or replicas thereof or other data relating thereto, and prepare and publish in his discretion books, documents, pamphlets, or other publications relating thereto.

The comptroller may distribute free copies of such publications to libraries, museums, and other places of reference open to the public in the United States or in other countries, not to exceed, however, one-third of the number of copies of each published. The remaining copies may be sold at such reasonable prices as may be fixed by the comptroller, the proceeds of such sales to be paid into the trust fund.”

SECTION 2. Chapter 212, Hawaii Revised Statutes, relating to foreign trade zones, is amended by adding a new section to read:

“Section 212-9 Special fund. There is established in the state treasury a fund to be known as the foreign trade zones special fund. All fees or other moneys collected under this chapter shall be deposited in this fund. All moneys in the fund are hereby appropriated for the purposes of and shall be expended by the public corporation for the operation and maintenance of the zone.”

SECTION 3. Section 266-20, Hawaii Revised Statutes, relating to maintenance of small boat harbors, is amended to read:

“Section 266-20 Maintenance of small boat harbors. The cost of maintenance and operation of properties under the control and management of the department of transportation which are used principally for recreation and the landing of fish shall be paid from the small boat harbors special fund; provided, if funds collected from the operations of the foregoing facilities for recreation and the landing of fish are insufficient to meet all such costs of operation and maintenance, general fund appropriation may be used to

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augment the small boat harbor special fund, for the purposes thereof.”

SECTION 4. Section 267-13, Hawaii Revised Statutes, relating to the disposition of revenues collected under the boating law, is amended to read:

“**Section 267-13 Disposition of revenues.** All fees and penalties collected pursuant to section 267-12 shall be deposited in the small boat harbors special fund.”

SECTION 5. Chapter 298, Hawaii Revised Statutes, relating to schools and attendance, generally, is amended by adding thereto a new section to be appropriately numbered and to read:

“**Section 298- Summer schools; funds, expenditures.** All moneys received by and for the public summer schools from tuition and other fees or from any other source shall be deposited in a special summer school fund; and except as otherwise provided by the legislature, all expenditures for the operation of public summer schools shall be made from this fund.”

SECTION 6. Chapter 299, Hawaii Revised Statutes, relating to driver education, is amended by adding a new section thereto to read:

“**Section 299-4 Driver education fee.** The board of education may assess a fee for each student enrolling in the driver education program. All such fees collected shall be deposited into the state treasury to the credit of the general fund.”

SECTION 7. Section 304-61, Hawaii Revised Statutes, as amended, is further amended by adding thereto a new paragraph to read as follows:

“Any other law to the contrary notwithstanding, Leahi Hospital shall place its revenues and all other moneys collected or acquired or made available for the use of said hospital into a special fund to be used for the payment of its lawful expenditures.”

SECTION 8. Federal grants-in-aid requirements. In the event any provision of this Act should conflict with federal grants-in-aid requirements, the terms and provisions required by the United States shall govern in accordance with the provisions of Section 29-15, Hawaii Revised Statutes.

SECTION 9. Appropriations. The following sums, or so much as may be necessary in order to provide for continuing services of the agencies and programs affected by this Act, are hereby appropriated from the general fund to supplement appropriations made under the general appropriations act for the biennium beginning July 1, 1971 and ending June 30, 1973:

DEPARTMENT OF EDUCATION

Driver Education \$145,400

DEPARTMENT OF SOCIAL SERVICES & HOUSING

Vocational Rehabilitation Division—

Blind Persons' Vending Stands 20,000

Total \$165,400

SECTION 10. Federal funds. Funds received from the federal government deposited or lapsed into the general fund of the State pursuant to this

Act shall be appropriated to such agency and for such purposes for which such funds were furnished; and such funds shall be disbursed in a manner consistent with the intent and purposes for which said funds were furnished by the federal government.

SECTION 11. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material or the underscoring.*

SECTION 12. Date and manner of effect. This Act shall take effect on June 30, 1971, on which date any balance in any existing special fund under any section of the Hawaii Revised Statutes repealed by this Act shall lapse into the general fund; provided that the comptroller may transfer all or parts of any such balance to such working capital funds, trust funds, or restricted accounts established as he deems necessary.

(Approved May 24, 1971.)

* Edited accordingly.