

ACT 43

H.B. NO. 2743

For the complete final text of this law, see Act 52 beginning on page 272 which reflects the Legislature's override of all the item vetoes in this Act.

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~~ \$0¹ or so much thereof as may be necessary for fiscal year 2004-2005.

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~~ \$0¹ or so much thereof as may be necessary for fiscal year 2004-2005.

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

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

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

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

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

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

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

SECTION 10. The legislature determines that there is in the Hawaii community development revolving fund at least \$10,000,000 in excess of the requirements of the fund. On July 1, 2004, the director of finance is authorized to transfer from the

Hawaii community development revolving fund to the general fund the sum of \$10,000,000 or so much thereof as may be necessary for fiscal year 2004-2005.

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

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

SECTION 13. The legislature determines that there is in the environmental response revolving fund at least \$500,000 in excess of the requirements of the fund. On July 1, 2004, the director of finance is authorized to transfer from the environmental response revolving fund to the general fund the sum of \$500,000 or so much thereof as may be necessary for fiscal year 2004-2005.

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

SECTION 15. The legislature determines that there is in the special land and development fund at least \$1,500,000 in excess of the requirements of the fund. On July 1, 2004, the director of finance is authorized to transfer from the special land and development fund to the general fund the sum of \$1,500,000 \$0¹ or so much thereof as may be necessary for fiscal year 2004-2005.

SECTION 16. The legislature determines that there is in the special land and development fund at least \$1,500,000 in excess of the requirements of the fund. On January 1, 2005, the director of finance is authorized to transfer from the special land and development fund to the general fund the sum of \$1,500,000 \$0¹ or so much thereof as may be necessary for fiscal year 2004-2005.

SECTION 17. The legislature determines that there is in the state highway fund at least \$11,000,000 in excess of the requirements of the fund. On July 1, 2004, the director of finance is authorized to transfer from the state highway fund to the general fund the sum of \$11,000,000 \$0¹ or so much thereof as may be necessary for fiscal year 2004-2005.

SECTION 18. The legislature determines that there is in the state highway fund at least \$1,500,000 in excess of the requirements of the fund. On June 29, 2005, the director of finance is authorized to transfer from the state highway fund to the general fund the sum of \$1,500,000 \$0¹ or so much thereof as may be necessary for fiscal year 2004-2005.

PART II

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

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

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

“**§107-11 Parking; control by comptroller.** (a) The comptroller may assess and collect reasonable fees for parking for all government officials and employees, install parking meters, and restrict and otherwise control parking on all state lands within the comptroller’s jurisdiction.

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

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

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

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

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

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

PART III

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

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

(Approved May 3, 2004.)

Note

1. Item vetoed, replaced with “\$0”, and initialed “LL”, but see Act 52 beginning on page 272 which overrode all of the item vetoes in this Act.