
A BILL FOR AN ACT

RELATING TO NON-GENERAL FUNDS.

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

1 SECTION 1. The severe recession of 2008 swept across the
2 nation and many parts of the world with unanticipated force and
3 brought with it enormous challenges for governments at all
4 levels. Its effects on businesses and employment are still
5 being felt today. This has had a profound impact on Hawaii in
6 terms of tax revenues and the state budget.

7 The legislature finds that due to the extraordinary fiscal
8 circumstances the State is facing, non-general funds must be
9 reviewed and scrutinized to determine if there are excess
10 balances available to be transferred to the general fund.

11 The legislature further finds that transfers of excess
12 balances are needed to help address the critical budget
13 shortfall in fiscal year 2009-2010.

14 The legislature further finds that section 37-53, Hawaii
15 Revised Statutes, provides the governor nearly unlimited
16 authority to transfer non-general funds to the general fund.
17 Section 37-53 provides that:



1 At any time during a fiscal year, notwithstanding any
2 other law to the contrary, any department may, with
3 the approval of the governor or the director of
4 finance if so delegated by the governor, transfer from
5 any special fund relating to such department to the
6 general revenues of the State all or any portion of
7 moneys determined to be in excess of fiscal year
8 requirements for such special fund, except for special
9 funds under the control of the department of
10 transportation relating to highways, airports,
11 transportation use, and harbors activities, special
12 funds under the control of the Hawaii health systems
13 corporation or subaccounts under the control of its
14 regional system boards, and special funds of the
15 University of Hawaii. At any time the department of
16 transportation, with the approval of the governor or
17 the director of finance if so delegated by the
18 governor, may transfer from any special fund under the
19 control of the department of transportation, or from
20 any account within any such special fund, to the
21 general revenues of the State or to any other special
22 fund under the control of the department of



1 transportation all or any portion of moneys determined
2 to be in excess of requirements for the ensuing twelve
3 months determined as prescribed by rules adopted
4 pursuant to chapter 91; provided that no such transfer
5 shall be made which would cause a violation of federal
6 law or federal grant agreements.

7 The purpose of this Act is to help address the fiscal year
8 2009-2010 budget shortfall by transferring a total of \$7,000,000
9 in excess balances from various non-general funds.

10 SECTION 2. The legislature determines that there is in the
11 state motor pool revolving fund at least \$500,000 in excess of
12 the requirements of the fund. On June 1, 2010, the director of
13 finance is authorized to transfer from the state motor pool
14 revolving fund to the general fund the sum of \$500,000 or so
15 much thereof as may be necessary for fiscal year 2009-2010.

16 SECTION 3. The legislature determines that there is in the
17 state risk management revolving fund at least \$1,000,000 in
18 excess of the requirements of the fund. On June 1, 2010, the
19 director of finance is authorized to transfer from the state
20 risk management revolving fund to the general fund the sum of
21 \$1,000,000 or so much thereof as may be necessary for fiscal
22 year 2009-2010.



1 SECTION 4. The legislature determines that there is in the
2 medicaid investigations recovery fund at least \$1,500,000 in
3 excess of the requirements of the fund. On June 1, 2010, the
4 director of finance is authorized to transfer from the medicaid
5 investigations recovery fund to the general fund the sum of
6 \$1,500,000 or so much thereof as may be necessary for fiscal
7 year 2009-2010.

8 SECTION 5. The legislature determines that there is in the
9 University of Hawaii housing assistance revolving fund at least
10 \$2,000,000 in excess of the requirements of the fund. On June
11 1, 2010, the director of finance is authorized to transfer from
12 the University of Hawaii housing assistance revolving fund to
13 the general fund the sum of \$2,000,000 or so much thereof as may
14 be necessary for fiscal year 2009-2010.

15 SECTION 6. The legislature determines that there is in the
16 agricultural loan reserve fund at least \$500,000 in excess of
17 the requirements of the fund. On June 1, 2010, the director of
18 finance is authorized to transfer from the agricultural loan
19 reserve fund to the general fund the sum of \$500,000 or so much
20 thereof as may be necessary for fiscal year 2009-2010.

21 SECTION 7. The legislature determines that there is in the
22 agricultural loan revolving fund at least \$500,000 in excess of



1 the requirements of the fund. On June 1, 2010, the director of
2 finance is authorized to transfer from the agricultural loan
3 revolving fund to the general fund the sum of \$500,000 or so
4 much thereof as may be necessary for fiscal year 2009-2010.

5 SECTION 8. The legislature determines that there is in the
6 convention center enterprise special fund at least \$1,000,000 in
7 excess of the requirements of the fund. On June 1, 2010, the
8 director of finance is authorized to transfer from the
9 convention center enterprise special fund to the general fund
10 the sum of \$1,000,000 or so much thereof as may be necessary for
11 fiscal year 2009-2010.

12 SECTION 9. This Act shall take effect upon its approval.



Report Title:

Transfer of Non-general Funds

Description:

Addresses the fiscal year 2009-2010 budget shortfall by transferring to the general fund a total of \$7,000,000 in excess balances from certain non-general funds. (SB2695 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

