
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
9 \$95,950,000 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 reserve fund at least \$500,000 in excess of the
17 requirements of the fund. On June 1, 2010, the director of
18 finance is authorized to transfer from the agricultural reserve
19 fund to the general fund the sum of \$500,000 or so much thereof
20 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 \$1,000,000 in excess



1 of the requirements of the fund. On June 1, 2010, the director
2 of finance is authorized to transfer from the agricultural loan
3 revolving fund to the general fund the sum of \$1,000,000 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 agricultural park special fund at least \$200,000 in excess of
7 the requirements of the fund. On June 1, 2010, the director of
8 finance is authorized to transfer from the agricultural park
9 special fund to the general fund the sum of \$200,000 or so much
10 thereof as may be necessary for fiscal year 2009-2010.

11 SECTION 9. The legislature determines that there is in the
12 aloha tower special fund at least \$750,000 in excess of the
13 requirements of the fund. On June 1, 2010, the director of
14 finance is authorized to transfer from the aloha tower special
15 fund to the general fund the sum of \$750,000 or so much thereof
16 as may be necessary for fiscal year 2009-2010.

17 SECTION 10. The legislature determines that there is in
18 the clean air special fund at least \$5,000,000 in excess of the
19 requirements of the fund. On June 1, 2010, the director of
20 finance is authorized to transfer from the clean air special
21 fund to the general fund the sum of \$5,000,000 or so much
22 thereof as may be necessary for fiscal year 2009-2010.



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

8 SECTION 12. The legislature determines that there is in
9 the convention center enterprise special 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 convention center enterprise special fund to the general
13 fund the sum of \$2,000,000 or so much thereof as may be
14 necessary for fiscal year 2009-2010.

15 SECTION 13. The legislature determines that there is in
16 the drinking water treatment revolving loan fund at least
17 \$2,000,000 in excess of the requirements of the fund. On June
18 1, 2010, the director of finance is authorized to transfer from
19 the drinking water treatment revolving loan fund to the general
20 fund the sum of \$2,000,000 or so much thereof as may be
21 necessary for fiscal year 2009-2010.



1 SECTION 14. The legislature determines that there is in
2 the emergency medical services special fund at least \$6,000,000
3 in excess of the requirements of the fund. On June 1, 2010, the
4 director of finance is authorized to transfer from the emergency
5 medical services special fund to the general fund the sum of
6 \$6,000,000 or so much thereof as may be necessary for fiscal
7 year 2009-2010.

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

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



1 SECTION 17. The legislature determines that there is in
2 the high technology special fund at least \$500,000 in excess of
3 the requirements of the fund. On June 1, 2010, the director of
4 finance is authorized to transfer from the high technology
5 special fund to the general fund the sum of \$500,000 or so much
6 thereof as may be necessary for fiscal year 2009-2010.

7 SECTION 18. The legislature determines that there is in
8 the neurotrauma special fund at least \$750,000 in excess of the
9 requirements of the fund. On June 1, 2010, the director of
10 finance is authorized to transfer from the neurotrauma special
11 fund to the general fund the sum of \$750,000 or so much thereof
12 as may be necessary for fiscal year 2009-2010.

13 SECTION 19. The legislature determines that there is in
14 the research and training revolving fund at least \$10,000,000 in
15 excess of the requirements of the fund. On June 1, 2010, the
16 director of finance is authorized to transfer from the research
17 and training revolving fund to the general fund the sum of
18 \$10,000,000 or so much thereof as may be necessary for fiscal
19 year 2009-2010.

20 SECTION 20. The legislature determines that there is in
21 the systemwide information technology services special fund at
22 least \$750,000 in excess of the requirements of the fund. On



1 June 1, 2010, the director of finance is authorized to transfer
2 from the systemwide information technology services special fund
3 to the general fund the sum of \$750,000 or so much thereof as
4 may be necessary for fiscal year 2009-2010.

5 SECTION 21. The legislature determines that there is in
6 the trauma system special fund at least \$1,000,000 in excess of
7 the requirements of the fund. On June 1, 2010, the director of
8 finance is authorized to transfer from the trauma system special
9 fund to the general fund the sum of \$1,000,000 or so much
10 thereof as may be necessary for fiscal year 2009-2010.

11 SECTION 22. The legislature determines that there is in
12 the tuition and fee special fund at least \$20,000,000 in excess
13 of the requirements of the fund. On June 1, 2010, the director
14 of finance is authorized to transfer from the tuition and fee
15 special fund to the general fund the sum of \$20,000,000 or so
16 much thereof as may be necessary for fiscal year 2009-2010.

17 SECTION 23. The legislature determines that there is in
18 the university revenue-undertakings fund at least \$11,000,000 in
19 excess of the requirements of the fund. On June 1, 2010, the
20 director of finance is authorized to transfer from the
21 university revenue-undertakings fund to the general fund the sum



1 of \$11,000,000 or so much thereof as may be necessary for fiscal
2 year 2009-2010.

3 SECTION 24. The legislature determines that there is in
4 the vital statistics improvement special fund at least \$500,000
5 in excess of the requirements of the fund. On June 1, 2010, the
6 director of finance is authorized to transfer from the vital
7 statistics improvement special fund to the general fund the sum
8 of \$500,000 or so much thereof as may be necessary for fiscal
9 year 2009-2010.

10 SECTION 25. The legislature determines that there is in
11 the water pollution control revolving fund at least \$10,000,000
12 in excess of the requirements of the fund. On June 1, 2010, the
13 director of finance is authorized to transfer from the water
14 pollution control revolving fund to the general fund the sum of
15 \$10,000,000 or so much thereof as may be necessary for fiscal
16 year 2009-2010.

17 SECTION 26. The legislature determines that there is in
18 the works of art special fund at least \$2,000,000 in excess of
19 the requirements of the fund. On June 1, 2010, the director of
20 finance is authorized to transfer from the works of art special
21 fund to the general fund the sum of \$2,000,000 or so much
22 thereof as may be necessary for fiscal year 2009-2010.



1 SECTION 27. 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 \$95,950,000 in excess balances from certain special funds.

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

