

JAN 22 2010

A BILL FOR AN ACT

RELATING TO USE OF TOBACCO SETTLEMENT FUNDS.

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

1 SECTION 1. To enable the John A. Burns school of medicine
2 to continue to operate and graduate new physicians, funding from
3 the tobacco settlement needs to continue. Act 264, Session Laws
4 of Hawaii 2007, contains a sunset date that will eliminate the
5 ability of the John A. Burns school of medicine to continue
6 receiving these funds.

7 The purpose of this Act is to make permanent the funding to
8 John A. Burns school of medicine.

9 SECTION 2. Act 264, Session Laws Hawaii 2007, as amended
10 by section 22 of Act 16, Session Laws of Hawaii 2008, is amended
11 by amending section 4 to read as follows:

12 "SECTION 4. This Act shall take effect on July 1, 2007[
13 ~~and shall be repealed on June 30, 2011; provided that section~~
14 ~~328L-2, Hawaii Revised Statutes, shall be reenacted in the form~~
15 ~~in which it read on the day before the effective date of this~~
16 ~~Act]."~~

17 SECTION 3. Act 119, Session Laws of Hawaii 2009, is
18 amended by amending section 6 to read as follows:



1 "SECTION 6. This Act shall take effect on July 1, 2009[
2 ~~and shall be repealed on June 30, 2015~~]; provided that on June
3 30, 2015 this Act shall be repealed and section 328L-2, Hawaii
4 Revised Statutes, shall be reenacted in the [form in which it
5 read on the day before the effective date of Act 264, Session
6 Laws of Hawaii 2007.] following form:

7 "**§328L-2 Hawaii Tobacco settlement special fund.** (a)

8 There is established in the state treasury the Hawaii tobacco
9 settlement special fund into which shall be deposited:

- 10 (1) All tobacco settlement moneys; and
11 (2) All interest and earnings accruing from the investment
12 of moneys in the fund;

13 provided that of all tobacco settlement moneys received by the
14 State each fiscal year, the sum representing the first \$350,000
15 of those moneys shall first be deposited in the state treasury
16 in each fiscal year to the credit of the tobacco enforcement
17 special fund. The Hawaii tobacco settlement special fund shall
18 be administered by the department.

19 (b) The fund shall be used for the purpose of receiving,
20 allocating, and appropriating the tobacco settlement moneys as
21 follows:



- 1 (1) Twenty-four and one-half per cent shall be
2 appropriated into the emergency and budget reserve
3 fund under section 328L-3;
- 4 (2) Thirty-five per cent shall be appropriated to the
5 department for purposes of section 328L-4;
- 6 (3) Twelve and one-half per cent shall be appropriated
7 into the Hawaii tobacco prevention and control trust
8 fund under section 328L-5; and
- 9 (4) Twenty-eight per cent shall be appropriated into the
10 university revenue-undertakings fund created in
11 section 304A-2167.5, to be applied to the payment of
12 the principal of and interest on, and to generate
13 required coverage, if any, for, revenue bonds issued
14 by the board of regents of the University of Hawaii to
15 finance the cost of construction of a university
16 health and wellness center, including a new medical
17 school facility, to be situated on the island of Oahu,
18 for the succeeding fiscal year; and the payment of
19 annual operating expenses incurred by the new medical
20 school facility; provided that any moneys in excess of
21 the amounts required under this paragraph shall be



1 transferred in the succeeding fiscal year in the
2 following amounts:
3 (A) To the emergency and budget reserve fund under
4 section 328L-3--eighty per cent of the excess;
5 and
6 (B) To the Hawaii tobacco prevention and control
7 trust fund under section 328L-5--twenty per cent
8 of the excess."

9 SECTION 4. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect on July 1, 2010.

12

INTRODUCED BY: David Y. Ige

Report Title:

Tobacco Fund Settlement Continued for UH Medical School

Description:

Repeals sunset date in Act 264, relating to tobacco fund settlement, for continued use by John A. Burns School of Medicine.

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