

Honolulu, Hawaii

Apr: 123, 2010

RE: H.B. No. 2542
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2542, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to help address the fiscal year 2010-2011 budget shortfall by transferring a total of \$45,197,000 in excess balances from various non-general funds as follows:

- (1) \$1,000,000 from the Agricultural Loan Reserve Fund;
- (2) \$1,500,000 from the State Motor Pool Revolving Fund;
- (3) \$2,000,000 from the State Risk Management Revolving Fund;
- (4) \$2,000,000 from the Stadium Special Fund;



- (5) \$1,500,000 from the Medicaid Investigations Recovery Fund;
- (6) \$1,000,000 from the Hawaii Community Development Revolving Fund;
- (7) \$2,000,000 from the Convention Center Enterprise Special Fund;
- (8) \$300,000 from the Foreign Trade Zones Special Fund;
- (9) \$1,500,000 from the Compliance Resolution Fund - Business Registration Fund Account;
- (10) \$1,400,000 from the Department of Commerce and Consumer Affairs Special Drivers Education Fund;
- (11) \$3,200,000 from the Loss Mitigation Grant Fund;
- (12) \$1,000,000 from the Department of Education Drivers Education Fund Account;
- (13) \$1,000,000 from the Deposit Beverage Container Deposit Special Fund;
- (14) \$7,200,000 from the Hawaii Tobacco Settlement Special Fund;
- (15) \$1,000,000 from the Neurotrauma Special Fund;
- (16) \$7,000,000 from the Special Fund for Disability Benefits;
- (17) \$1,000,000 from the Land Conservation Fund;
- (18) \$500,000 from the Natural Area Reserve Fund;
- (19) \$500,000 from the Federal Reimbursement Maximization Special Fund;
- (20) \$2,000,000 from the University of Hawaii Housing Assistance Revolving Fund;
- (21) \$2,500,000 from the University Revenue-undertakings Fund;
- (22) \$400,000 from the University of Hawaii Research and Training Revolving Fund;



- (23) \$2,000,000 from the Judiciary Computer System Special Fund;
- (24) \$1,500,000 from the Driver Education and Training Fund; and
- (25) \$197,000 from the Department of Business, Economic Development, and Tourism (DBEDT).

This bill also:

- (1) Requires the refundable credit of the Fuel Tax Credit for Commercial Fishers to be paid from the State Highway Fund;
- (2) Requires moneys in excess of \$14,000,000 in the Hawaii Tobacco Prevention and Control Trust Fund to lapse to the Emergency and Budget Reserve Fund each June 30;
- (3) Reduces the distributions of cigarette and tobacco tax revenues to various non-general funds for the period from July 1, 2011, to July 1, 2013; and
- (4) Repeals the requirement that moneys in the Special Fund for Disability Benefits be held in trust and used only for disability benefits.

Your Committee on Conference has amended this bill by:

- (1) Authorizing the Director of Finance to transfer from the Disaster Loan Revolving Fund to the general fund the sum of \$1,000,000 for fiscal year 2010-2011;
- (2) Deleting provisions:
 - (A) Transferring \$197,000 from DBEDT;
 - (B) Requiring moneys in excess of \$14,000,000 in the Hawaii Tobacco Prevention and Control Trust Fund to lapse to the Emergency and Budget Reserve Fund each June 30; and
 - (C) Repealing the requirement that moneys in the Special Fund for Disability Benefits be held in trust and used only for disability benefits;



- (3) Changing the effective date to July 1, 2010; and
- (4) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2542, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2542, H.D. 1, S.D. 2, C.D. 1.

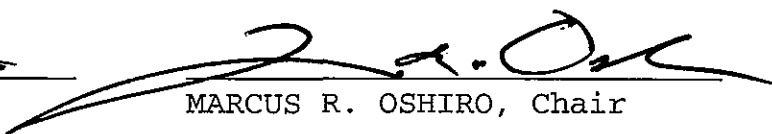
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



DONNA MERCADO KIM, Chair



MARCUS R. OSHIRO, Chair



Hawaii State Legislature

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 2542, HD 1, SD 2	Date/Time: APRIL 23, 2010 11:00 AM
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The recommendation of the House and Senate managers is to pass with amendments (CD).



The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KIM, Donna Mercado, Chr.	✓				OSHIRO, Marcus R., Chr.	✓			
KIDANI, Michelle	✓				CHONG, Pono	✓			
KOKUBUN, Russell S.	✓				CHOY, Isaac W.	✓			
					LEE, Marilyn B.	✓			
					WARD, Gene	✓			
TOTAL	3	0	0	0	TOTAL	5	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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