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# A BILL FOR AN ACT

RELATING TO MEASUREMENT STANDARDS.

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

1           SECTION 1. The purpose of this Act is to establish a  
2 weights and measurements special fund, with the intent of  
3 requiring the department of agriculture's measurement standards  
4 program to be financially self-supporting.

5           SECTION 2. Chapter 486, Hawaii Revised Statutes, is  
6 amended by adding to part I a new section to be appropriately  
7 designated and to read as follows:

8           "§486-           Weights and measurements special fund. There is  
9 established the weights and measurements special fund to be  
10 administered by the board of agriculture. All moneys received  
11 by the board of agriculture as application fees and for licenses  
12 or otherwise under this chapter shall be deposited into the  
13 special fund. All interest earned or accrued on moneys  
14 deposited in the special fund shall become part of the special  
15 fund. Moneys in the special fund shall be expended to cover all  
16 costs of administering this chapter, including but not limited  
17 to the costs of salaries, fringe benefits, operating expenses,  
18 equipment, motor vehicles, contracts for services, and



1 promotional expenses. Moneys in the special fund may be  
2 transferred to the general fund for salaries and fringe benefits  
3 of other state employees assisting in administering this chapter  
4 and other related costs. A reserve shall be maintained in the  
5 special fund to cover contingency costs, including but not  
6 limited to accrued vacation leave, unemployment insurance, and  
7 workers' compensation."

8 SECTION 3. (a) Between July 1, 2011, and September 30,  
9 2011, the board of agriculture shall adopt new or amend existing  
10 rules to impose or increase fees authorized to be charged under  
11 chapter 486, Hawaii Revised Statutes, without regard to the  
12 public notice and public hearing requirements of section 91-3,  
13 Hawaii Revised Statutes, or the small business impact review  
14 requirements of chapter 201M, Hawaii Revised Statutes. The  
15 board shall set the fees at amounts intended to generate  
16 sufficient revenues to pay the operation and maintenance costs  
17 of implementing chapter 486, Hawaii Revised Statutes, and  
18 central services and departmental administrative expense  
19 assessments of section 36-27 and section 36-30, Hawaii Revised  
20 Statutes.

21 (b) If, by September 30, 2011, the board of agriculture  
22 has not complied with subsection (a), then the fee charged for



1 each licensing, testing, calibration, or inspection of a  
2 measuring or other device shall be \$ commencing  
3 October 1, 2011.

4 (c) Any subsequent amendments to the rules adopted or  
5 amended pursuant to subsection (a) or the fee established under  
6 subsection (b) shall be subject to all applicable provisions of  
7 chapter 91 and chapter 201M, Hawaii Revised Statutes.

8 SECTION 4. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ or so  
10 much thereof as may be necessary for fiscal year 2011-2012 for  
11 transfer into the weights and measurements special fund as seed  
12 capital for the special fund.

13 The sum appropriated shall be expended by the department of  
14 agriculture for the purposes of this Act.

15 SECTION 19. There is appropriated out of the weights and  
16 measurements special fund the sum of \$ or so much  
17 thereof as may be necessary for fiscal year 2011-2012 and the  
18 same sum or so much thereof as may be necessary for fiscal year  
19 2012-2013 for the measurement standards program and for  
20 reimbursement to the general fund for the seed capital  
21 appropriated in section 4.



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1 The sums appropriated shall be expended by the department  
2 of agriculture for the purposes of this Act.


3 SECTION 6. New statutory material is underscored.

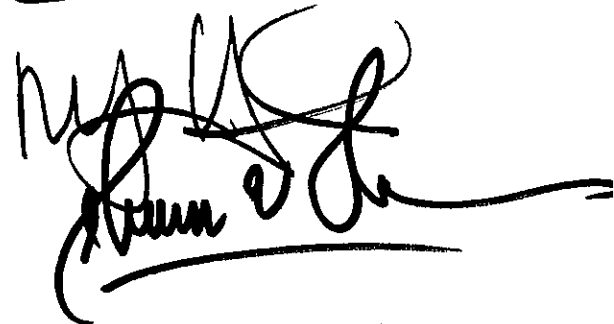
4 SECTION 7. This Act shall take effect on July 1, 2011.

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INTRODUCED BY:

  
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JAN 21 2011



**Report Title:**

Weights and Measurements Special Fund

**Description:**

Establishes the weights and measurements special fund. Requires the board of agriculture to adopt or amend rules to impose or increase fees authorized to be charged under chapter 486, Hawaii Revised Statutes. Makes appropriations.

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

