

Honolulu, Hawaii
MAY 03 2011 , 2011

RE: S.B. No. 120
S.D. 1
H.D. 1
C.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 120, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO STATE 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 repeal certain special and revolving funds and to transfer to the general fund the following types of balances from non-general funds:

- (1) The remaining balances of funds that have already been repealed;
- (2) The unencumbered balances of special and revolving funds that are being repealed under this bill; and
- (3) The excess balances of other special and revolving funds that are not being repealed under this bill.



Additionally, this bill:

- (1) Converts certain revolving funds of the University of Hawaii into special funds and repeals other special and revolving funds of the University of Hawaii;
- (2) Redirects disbursements and revenues of the compliance resolution fund for the benefit of the general fund;
- (3) Temporarily lowers the amount of conveyance tax revenues that are required to be transferred from the general fund to the land conservation fund;
- (4) Temporarily redirects to the general fund, instead of the emergency and budget reserve fund and the Hawaii tobacco prevention and control trust fund, certain amounts of the tobacco settlement moneys in the Hawaii tobacco settlement special fund; and
- (5) Transfers a portion of the excess balance in the Hawaii tobacco prevention and control trust fund to the general fund over the next two fiscal years.

Your Committee has amended the measure by:

- (1) Clarifying that the health care revolving fund is an expired fund;
- (2) Adjusting the final figures for the excess balances that will be transferred to the general fund from certain special and revolving funds;
- (3) Deleting the amendments relating to the land conservation fund and modifying the amendments to the master settlement agreement money part of the measure by shortening the time period in which the tobacco settlement funds will be diverted to the general fund;
- (4) Deleting the Director of Finance's authority to transfer Hawaii tobacco prevention and control trust fund moneys to the general fund;
- (5) Requiring the Director of Health, with the assistance of the Director of Finance, to conduct a study of the Hawaii tobacco prevention and control trust fund regarding the



level of moneys in the trust fund and the use of those moneys; and

- (6) Changing the effective date of the measure to July 1, 2011.

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 S.B. No. 120, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 120, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


MARCUS R. OSHIRO, Chair


DAVID Y. IGE, Chair



CCR 144

Hawaii State Legislature
Record of Votes of a
Conference Committee

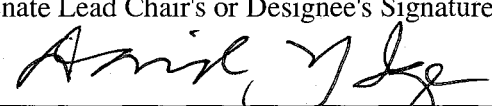
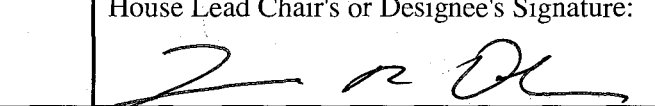
| | |
|--|--------------------------------------|
| Bill / Concurrent Resolution No.: SB 120, SD 1, HD 1 | Date/Time: 4-29-11 5:15 PM |
|--|--------------------------------------|

| | |
|---|---|
| <input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD). | |
| <input type="checkbox"/> 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. |

| Senate Managers | A | WR | N | E | House Managers | A | WR | N | E |
|---------------------|----------|----------|----------|----------|-------------------------|----------|----------|----------|----------|
| IGE, David Y., Chr. | ✓ | | | | OSHIRO, Marcus R., Chr. | ✓ | | | |
| FUKUNAGA, Carol | | | | ✓ | CHONG, Pono | ✓ | | | |
| KIDANI, Michelle | ✓ | | | | CHOY, Isaac W. | ✓ | | | |
| KIM, Donna Mercado | ✓ | | | | LEE, Marilyn B. | ✓ | | | |
| SLOM, Sam | ✓ | | | | WARD, Gene | | ✓ | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| TOTAL | 4 | 0 | 0 | 1 | TOTAL | 4 | 1 | 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 |
|---|--|

| | |
|---|---|
| Senate Lead Chair's or Designee's Signature:  | House Lead Chair's or Designee's Signature:  |
|---|---|

Distribution: **Original** **Yellow** **Pink** **Goldenrod**
 File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency