

ACT 193

An Act Relating to Statutory Revision; Amending or Repealing Provisions of the Revised Laws of Hawaii 1955 and Session Laws of Hawaii for the Purpose of Correcting Errors, Clarifying Language, Correcting References and Deleting Obsolete Provisions.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. In this Act, unless otherwise stated, all chapter or section references are to the Revised Laws of Hawaii 1955 and amendments thereto, including chapter or section designations assigned by the revisor of statutes in the compilation of the 1961 Supplement to the Revised Laws of Hawaii 1955. Also, in this Act, "Session Laws" means the Session Laws of Hawaii.

SECTION 2. Section 1-5.5 is amended by substituting "sections 1-54 and 1-55" for the reference "sections 1-4 and 1-5".

SECTION 3. Section 4A-1 is repealed.

SECTION 4. Section 14A-19 is amended by deleting the words "with the director of social services as ex officio chairman and included as an additional commissioner of the housing authority" in the first sentence of the fifth paragraph and substituting therefor the words "with the director of social services as an additional commissioner, ex officio, of the housing authority".

SECTION 5. Section 14A-20 is amended by deleting the third paragraph.

SECTION 6. Section 18-15.5 is amended to read:

"§ 18-15.5. **Weights of coffee; rules.** The board may make rules respecting the weighing of coffee prior to its shipment to points outside the State, and providing for the certification of weights thereof. Further, a reasonable schedule of fees to defray the expense of administering this section shall be established by the board, which fees shall be collected and deposited with the state director of the budget to the credit of the general fund; provided that the board shall consult the appropriate industries, organizations and agencies prior to the promulgation of the rules."

SECTION 7. Section 21-61 is repealed.

SECTION 8. Section 22-2 is amended by changing the last sentence of paragraph (a) to read: "Any money recovered by the director under this provision shall be deposited with the state director of the budget to the credit of the general fund;"

SECTION 9. Section 22-26.2 as amended by the Session Laws of 1961, Act 139, section 1, is amended by adding the word "or" between the words "commercial" and "promotional" in the definition of "commercial exporter".

SECTION 10. Section 22-26.5 is amended by changing the last two sentences to read: "All fees collected shall be deposited with the state director of the budget to the credit of the general fund."

SECTION 11. Section 22-26.8 is amended by changing the last

sentence of paragraph (a) to read: "Any money recovered by the director under this provision shall be deposited with the state director of the budget to the credit of the general fund."

SECTION 12. Section 22-53 is amended to read:

"§ 22-53. **Deposit of moneys.** All fees, charges, expenses, civil penalties and other moneys collected under this part or any rules prescribed by the board pursuant to this part shall be deposited with the state director of the budget to the credit of the general fund."

SECTION 13. Section 23-14 is amended to read:

"§ 23-14. **Disposition of fees and charges.** All fees, charges, expenses and other moneys collected pursuant to the provisions of this part shall be deposited with the state director of the budget to the credit of the general fund."

SECTION 14. Section 24-6 is amended by changing the last sentence of paragraph (a) to read: "All fees collected shall be deposited with the state director of the budget to the credit of the general fund."

SECTION 15. Section 25-8 is amended by changing paragraph (c) to read:

"(c) Moneys received from registration fees shall be deposited with the state director of the budget to the credit of the general fund."

SECTION 16. Section 26-14 is amended to read:

"§ 26-14. **Disposition of fees and charges.** All fees and charges received under the provisions of sections 26-5 to 26-15 shall be deposited with the state director of the budget to the credit of the general fund."

SECTION 17. Section 27-11 is amended to read:

"§ 27-11. **Disposition of license and inspection fees.** All fees and charges received under the provisions of this chapter shall be deposited with the state director of the budget to the credit of the general fund."

SECTION 18. Section 36-14 is amended by deleting the phrase "pursuant to section 35-14".

SECTION 19. Sections 37-17 and 37-18 as amended by the Session Laws of 1961, Act 182, section 3(f) and (g) are amended by changing the phrase "director of finance" to "director of the budget".

SECTION 20. Section 38-31 as amended by the Session Laws of 1962, Act 28, section 4, is amended by changing the amount of the longevity step L-3 of salary range 6 of the teachers' salary schedule from "672" to "732".

SECTION 21. Section 38-33 is amended by deleting the words "of section 38-31" after the words "Class I or II".

SECTION 22. Section 38-34.5 as amended by the Session Laws of 1962, Act 28, section 11, is amended by changing the word "teachers" to "pupils" throughout the section.

SECTION 23. Section 52-10 as amended by the Regular Session Laws of 1959, Act 71, section 1, is amended by deleting the second sentence from the definition of "podiatrist".

SECTION 24. Section 52-20 is hereby amended by changing the phrase "physician or dentist" appearing after the semicolon to "physician, dentist or podiatrist".

SECTION 25. Section 80-17 is amended by deleting from the begin-

ning of the third sentence the phrase "Subject to the provisions of section 35-14 and any other applicable provisions of law,".

SECTION 26. Section 82-17 as amended by Act 176, Session Laws of 1961, is amended by changing the phrase "department of civil services" to "department of personnel services".

SECTION 27. Section 86-19 is amended by deleting from the second sentence the following words: "or if situated in the city and county of Honolulu by the board of water supply or the suburban water system of the city and county as appropriate,".

SECTION 28. Chapter 93A is amended by changing the words "this chapter" to "this part" throughout part I (sections 93A-1 to 93A-42).

SECTION 29. Section 96A-2 is amended by changing the words "this rule" to "this chapter".

SECTION 30. Section 96A-11 is amended by changing the words "this rule" to "this chapter".

SECTION 31. Section 96A-13 is amended by changing the words "this rule" to "this chapter".

SECTION 32. Section 104-21.5 as added by Act 66 of the Session Laws of 1961 is amended by changing the phrase "a point to Hawaii to a point in Hawaii" to "a point in Hawaii to a point in Hawaii" as it appears in the first clause.

SECTION 33. Section 106C-4 is amended by adding a second closing parenthesis after "(k)" in item (1) defining contract carrier by motor vehicle.

SECTION 34. Section 106C-7 is amended by adding after "(a)" and before "(1)" in the first sentence the words: "The general duties and powers of the commission shall be:".

SECTION 35. Section 106C-33 is amended by adding a second closing parenthesis after "(e)" in paragraph (b).

SECTION 36. Section 109-24 as amended by the Session Laws of 1959, Act 246, section 10, is amended by changing the phrase "wholly or partially blind" to "blind or visually handicapped".

SECTION 37. Section 121-24.4 (Regular Session Laws of 1959, Act 276, part of section 1) is amended by changing the word "including" to "excluding".

SECTION 38. Section 132-17 is amended to read:

"§ 132-17. **Special funds listed.** The special funds referred to in section 132-16 are the following:

Description	Created by section
Airport Revenue Fund.....	15-10
Highways Supplies and Equipment Account.....	111- 7
Farm Loan Reserve Fund.....	102-14
Blind Shop Revolving and Handicraft Fund.....	109-13
Harbor Board Special Fund.....	112-20
State Airport Fund.....	129-11
State Highway Fund.....	129-11".

SECTION 39. Section 143-21 is amended by deleting the proviso at the end of subparagraph (b).

SECTION 40. Section 146-161 is amended by changing the reference “sections 129-2 to 129-5” to section “129-8”.

SECTION 41. Section 147-36.5 is repealed.

SECTION 42. Section 147-140 is amended by changing the reference “section 129-2” to “section 129-8”.

SECTION 43. Act 20 of the Regular Session Laws of 1960 (section 2 of which is compiled as part VII of chapter 147) is repealed.

SECTION 44. Section 148-150 is amended by changing the reference “section 129-2” to “section 129-8”.

SECTION 45. Section 149-8 is amended by changing the reference “section 149-7” to “section 138-47”.

SECTION 46. Section 153-32 is amended by changing the reference “section 129-2” to “section 129-8”.

SECTION 47. Section 160-184 is amended by deleting the reference to sections “160-167.5” and “160-170.5” therein.

SECTION 48. Section 170A-2 is amended by changing the words “real estate license commission” to “real estate commission” in item (b) defining “commission”.

SECTION 49. Section 170A-31 is amended to read:

“§ 170A-31. **Deposit of fees.** All fees collected under this part shall be deposited by the treasurer of the department of treasury and regulation with the director of the budget to the credit of the general fund.”

SECTION 50. Section 171A-2 is amended by adding the word “never” to the last clause of item (f) so that it reads “or has never been disbarred from the practice of law;”.

SECTION 51. Subdivision (b) of section 171A-7 is amended by substituting “commissioner” for “commission” in the first paragraph and by substituting “board” for “commission” in the last paragraph.

SECTION 52. Section 171A-13 is amended by changing the word “commission” to “commissioner”.

SECTION 53. Section 171A-30 is amended by adding the word “not” so that the section reads:

“§ 171A-30. **Remedies not exclusive.** The remedies provided for in this chapter are in addition to and not exclusive of any other remedies provided by law.”

SECTION 54. Section 172-150 is amended by deleting the reference to section “174-2”.

SECTION 55. Section 172-151 is amended by deleting the reference to section “174-2”.

SECTION 56. Section 178-11.1 is amended by changing the reference “section 188-11” to “section 178-11”.

SECTION 57. Section 178-11.3 is amended by changing the reference “sections 178-11 and 178-12” to “sections 178-111 and 178-112”.

SECTION 58. Section 181-580 is amended by changing the reference “sections 181-576 and 181-577” to “sections 181-578 and 181-579”.

SECTION 59. Section 194-18 is amended by changing the reference “section 201-1” to “section 201A-1” and the reference “section 201-23” to “sections 201A-3 and 201A-28”.

SECTION 60. Section 205A-16 is amended by changing item (a) of paragraph (3) to read:

“(a) state the alleged violation of the section or sections of this chapter which are under investigation;”.

SECTION 61. Section 214-10 is amended by changing the phrase at the end of the section “thereunto authorized by the written consent of the remaining justice or justices” to “as authorized by the chief justice”.

SECTION 62. Section 214-11 is amended by changing the phrase at the end of the section “thereunto authorized by the written request of the justices or two of them” to “as authorized by the chief justice”.

SECTION 63. Chapter 289 is amended by deleting the subtitle “Life Insurance” appearing immediately before section 280-12.

SECTION 64. Section 18 of Act 265 of the Regular Session of 1959 is amended to read:

“Section 18. Disposition of income relating to armories. Section 353-25, Revised Laws of Hawaii 1955, is amended by substituting for the fourth and fifth sentences the following: ‘All moneys received from the rentals shall be deposited with the director of the budget to the credit of the general fund.’”

SECTION 65. Act 32 of the Session Laws of 1962 is amended by changing the reference “section 21” to “section 19” in section -21 of section 2.

SECTION 66. This Act shall take effect upon its approval.

(Approved June 4, 1963.) **S.B. 739.**
