

ACT 74

S. B. NO. 1949-72

A Bill for an Act Relating to the Lapsing of Appropriations.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that funds have been appropriated for certain programs, projects, and other purposes but have not been expended or a balance remains due to changes in circumstances, completion of purposes or the nonfeasibility of such undertakings. The legislature further recognizes that such funds, by law, are restricted to those purposes for which they were appropriated. In view of such a restriction, the legislature feels that such funds which were appropriated but not encumbered or expended may be put to further use. The purpose of this Act is to lapse appropriations deemed unnecessary which have not been lapsed by law.

SECTION 2. All unexpended and unencumbered balances as of June 30, 1972, under Act 87, Session Laws of Hawaii 1945; Act 21, Special Session Laws of Hawaii 1949; Act 274, Session Laws of Hawaii 1949; Act 300, Session Laws of Hawaii 1951; Act 234, Session Laws of Hawaii 1957; Act 186, Session Laws of Hawaii 1963; Act 123, Session Laws of Hawaii 1965; Act 197, Session Laws of Hawaii 1965; Act 203, Session Laws of Hawaii 1965; Act 216, Session Laws of Hawaii 1965; Act 132, Session Laws of Hawaii 1967; Act 133, Session Laws of Hawaii 1967; Act 198, Session Laws of Hawaii 1967; Act 263, Session Laws of Hawaii 1967; Act 2, Session Laws of Hawaii 1968; Act 31, Session Laws of Hawaii 1968; Act 2, Session Laws of Hawaii 1969; Act 115, Session Laws of Hawaii 1969; Act 279, Session Laws of Hawaii 1969; Act 3, Session Laws of Hawaii 1970; Act 153, Session Laws of Hawaii 1970; Act 191, Session Laws of Hawaii 1970; and Act 1, Session Laws of Hawaii 1971, shall lapse as of June 30, 1972.

SECTION 3. Act 201, Session Laws of Hawaii 1971, is amended to read as follows:

“SECTION 2. Any law to the contrary notwithstanding, all authorized appropriations under Act 193, Session Laws of Hawaii 1961; Act 194, Session Laws of Hawaii 1961; Act 195, Session Laws of Hawaii 1961; Act 30, Session Laws of Hawaii 1962; Act 201, Session Laws of Hawaii 1963; Act 52, Session Laws of Hawaii 1964; Act 195, Session Laws of Hawaii 1965; Act 38, Session Laws of Hawaii 1966; Act 217, Session Laws of Hawaii 1967; and Act 278, Session Laws of Hawaii 1967, which are not encumbered by December 31, 1972 shall lapse as of that date.

SECTION 3. Any law to the contrary notwithstanding, all authorized appropriations which are not encumbered shall lapse as listed herein:

- (a) Projects appropriated or authorized by Act 40, Session Laws of Hawaii 1968, which are unencumbered by December 31, 1973 shall lapse as of that date.
- (b) Projects appropriated or authorized by Act 155, Session Laws of Hawaii 1969, which are unencumbered by December 31, 1974 shall lapse as of that date.
- (c) Projects appropriated or authorized by Act 187, Session Laws of Hawaii 1970, which are unencumbered by December 31, 1975 shall lapse as of that date.

SECTION 4. Section 2 and Section 3 shall not apply to projects necessary to qualify for federal aid financing and reimbursement.

SECTION 5. All projects appropriated or authorized in Acts listed in Section 2 that are funded with cash from the general revenues of the State, which are not encumbered by June 30, 1972, shall lapse as of that date.

SECTION 6. This Act shall take effect upon its approval.”

SECTION 4. If any subsection, paragraph, sentence, clause or appropriation contained in this Act is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Act.

**SECTION 5.** Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.\*

**SECTION 6.** This Act shall take effect upon its approval.

(Approved May 19, 1972.)

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\*Edited accordingly.