

ACT 70

H.B. NO. 3361

A Bill for an Act Making an Appropriation for the Hawaii Film Facility.

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

SECTION 1. This Act is recommended by the governor for immediate passage in accordance with section 9 of article VII of the constitution of the State of Hawaii.

SECTION 2. Act 218, Session Laws of Hawaii 1995, appropriated non-general funds for the Hawaii film facility special fund, commerce and industry (BED 102), for fiscal year 1995-1996. Report No. 91-10 issued by the office of the legislative auditor, relating to special and revolving funds, concluded that for a special or revolving fund to continue to be considered appropriate, the fund should:

- (1) Continue to serve its original purpose;
- (2) Have a clear link between its benefits and charges; and
- (3) Be financially self-sustaining.

While the fund has exhibited consistency with these criteria, there exists no legislated mechanism to allow for the intended and timely implementation of the purposes of these funds once a fiscal year has begun.

To facilitate appropriate implementation of the Hawaii film studio program for fiscal year 1995-1996, the special fund appropriation and authorization provided in this Act reflect additional available receipts and an attendant commitment of increased program funding collateral to the receipt of revenues.

SECTION 3. There is appropriated and authorized out of the Hawaii film facility special fund, commerce and industry (BED 102), the sum of \$66,500 or so much thereof as may be necessary for fiscal year 1995-1996 to facilitate the implementation of the Hawaii film studio program; provided that this sum shall be in addition to the operating appropriations made for the same program by Act 218, Session Laws of Hawaii 1995, or by any other act.

The sum appropriated shall be expended by the department of business, economic development, and tourism for the purposes of this Act.

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SECTION 4. Any unexpended or unencumbered balance of the appropriation made by this Act as of the close of business on June 30, 1996, shall lapse into the Hawaii film studio facility special fund.

SECTION 5. This Act shall take effect upon its approval.

(Approved May 9, 1996.)