
A BILL FOR AN ACT

RELATING TO CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS.

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

1 SECTION 1. Section 383-121, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§383-121 Unemployment compensation fund; establishment**
4 **and control.** There is established in the treasury of the State
5 as a [~~special~~] trust fund, separate and apart from all public
6 moneys or funds of the State, an unemployment compensation fund,
7 which shall be administered by the department of labor and
8 industrial relations exclusively for the purposes of this
9 chapter. All contributions pursuant to this chapter shall be
10 paid into the fund and all compensation and benefits payable
11 pursuant to this chapter shall be paid from the fund. All
12 moneys in the fund shall be mingled and undivided. The fund
13 shall consist of:

- 14 (1) All contributions collected pursuant to this chapter;
15 (2) Interest earned on any moneys in the fund;
16 (3) Any property or securities acquired through the use of
17 moneys belonging to the fund;



- 1 (4) All earnings of such property or securities;
- 2 (5) All moneys credited to this State's account in the
3 unemployment trust fund pursuant to section 903 of the
4 Social Security Act, as amended; and
- 5 (6) All other moneys received for the fund from any other
6 source."

7 SECTION 2. Section 386-151, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) There is hereby created a trust fund to be known as
10 the special compensation fund which shall consist of payments
11 made to it as provided by law. The director of finance of the
12 State shall be custodian of the fund, and all disbursements
13 therefrom shall be paid by the director of finance upon orders
14 by the director of labor and industrial relations."

15 SECTION 3. Section 392-61, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "[~~§~~392-61~~]~~ **Establishment of special trust fund for**
18 **disability benefits.** There is established in the treasury of
19 the State, separate and apart from all public moneys or funds of
20 the State, a [~~special~~] trust fund for disability benefits which
21 shall be administered by the director exclusively for the
22 purposes of this chapter~~[-]~~; including for the automation of the



1 workers compensation, temporary disability insurance, and
2 prepaid health care programs. All contributions pursuant to
3 this part shall be paid into the fund and all benefits payable
4 under this part shall be paid from the fund. The fund shall
5 consist of (1) all contributions collected pursuant to this
6 part, together with any interest thereon; (2) all fines and
7 penalties for the fund pursuant to this chapter; (3) all moneys
8 collected by way of subrogation; (4) interest earned on any
9 moneys in the fund; (5) any property or securities acquired
10 through the use of moneys belonging to the fund; (6) all
11 earnings of such property and securities; and (7) all other
12 moneys received for the fund from any source."

13 SECTION 4. Section 393-41, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[+]393-41[+] **Establishment of [~~special~~] premium**
16 **supplementation fund.** There is established in the treasury of
17 the State, separate and apart from all public moneys or funds of
18 the State, a [~~special~~] trust fund for premium supplementation
19 which shall be administered exclusively for the purposes of this
20 chapter. All premium supplementations payable under this part
21 shall be paid from the fund. The fund shall consist of (1) all
22 money appropriated by the State for the purposes of premium



1 supplementation under this part; and (2) all fines and penalties
2 collected pursuant to this chapter."

3 SECTION 5. There is appropriated out of the trust fund for
4 disability benefits available funds in the sum of \$5,000,000 or
5 so much thereof as may be necessary for fiscal year 2008-2009
6 for the automation of the workers compensation, temporary
7 disability insurance, and prepaid health care programs. The sum
8 appropriated shall be expended by the department of labor and
9 industrial relations for the purposes of this act.

10 SECTION 6. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 7. This Act shall take effect upon its approval.



Report Title:

Trust Funds; Automation of Disability Compensation Division

Description:

Clarifies the classification of certain special funds as trust funds and appropriates \$5,000,000 from the special fund for disability benefits for automation of the disability compensation division. (HB1125 HD1)

