

JAN 21 2011

S.B. NO. 120

A BILL FOR AN ACT

RELATING TO STATE FUNDS.

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

1 PART I

2 SECTION 1. Section 9-22, Hawaii Revised Statutes, is
3 amended to read as follows:

4 "[+]§9-22[+] State art museum; establishment. The state
5 art museum is established within the foundation. [The
6 ~~operations of the state art museum shall be funded and supported~~
7 ~~by the works of art special fund, pursuant to section 103-8.5-]~~"

8 SECTION 2. Section 27-43, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[+]§27-43[+] Information technology; chief information
11 officer; information technology steering committee;
12 establishment; responsibilities. (a) There is established
13 within the office of the governor a full-time chief information
14 officer to organize, manage, and oversee statewide information
15 technology governance, including supervision and oversight of
16 the information and communication services division of the
17 department of accounting and general services. The chief
18 information officer shall be appointed by the governor as



1 provided in section 26-34. The chief information officer shall
2 report directly to the governor and, in conjunction with the
3 information technology steering committee, shall:

4 (1) Develop, implement, and manage statewide information
5 technology governance;

6 (2) Develop, implement, and manage the state information
7 technology strategic plans;

8 (3) Develop and implement statewide technology standards;

9 (4) Report annually to the governor and the legislature on
10 the status and implementation of the state information
11 technology strategic plan; and

12 (5) Perform other necessary or desirable functions to
13 facilitate the intent of this section.

14 (b) There is established an information technology
15 steering committee to assist the chief information officer in
16 developing the State's information technology standards and
17 policies, including but not limited to:

18 (1) Assisting the chief information officer in developing
19 and implementing the state information technology
20 strategic plans;

21 (2) Assessing executive branch departments' progress in
22 meeting the objectives defined in the state



- 1 information technology strategic plans and identifying
2 best practices for shared or consolidated services;
- 3 (3) Ensuring technology projects are selected based on
4 their potential impact and risk to the State, as well
5 as their strategic value;
- 6 (4) Ensuring that executive branch departments maintain
7 sufficient tools to assess the value and benefits of
8 technology initiatives;
- 9 (5) Assisting the chief information officer in developing
10 state information technology standards and policies;
11 and
- 12 (6) Clarifying the roles, responsibilities, and authority
13 of the information and communication services
14 division, specifically as it relates to its statewide
15 duties.

16 The members of the information technology steering
17 committee shall be appointed by the senate president and speaker
18 of the house of representatives in equal number respectively and
19 shall include representatives from executive branch departments,
20 including large user agencies such as the department of
21 education and the University of Hawaii; the judiciary; the
22 legislature; and private individuals. The chief information



1 officer shall serve as the chair of the committee and shall
2 ensure that the committee is evaluated periodically.

3 ~~[(c) There is established within the department of budget
4 and finance a special fund to be known as the shared services
5 technology special fund to be administered and expended by the
6 chief information officer for the purposes of this subsection.
7 — per cent of the receipts collected from special funds
8 pursuant to section 36-27 shall be deposited into the shared
9 services technology special fund. Any law to the contrary
10 notwithstanding, the moneys in the fund shall be used to fund
11 the operations of the chief information officer and the
12 information technology steering committee, including the
13 employment and training of staff and any other activities deemed
14 necessary by the chief information officer to carry out the
15 purposes of this section.]"~~

16 SECTION 3. Section 36-27, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "§36-27 Transfers from special funds for central service
19 expenses. ~~[(a)]~~ Except as provided in this section, and
20 notwithstanding any other law to the contrary, from time to
21 time, the director of finance, for the purpose of defraying the



1 prorated estimate of central service expenses of government in
2 relation to all special funds, except the:

3 (1) Special out-of-school time instructional program fund
4 under section 302A-1310;

5 (2) School cafeteria special funds of the department of
6 education;

7 ~~[(3) Special funds of the University of Hawaii;~~

8 ~~-(4) State educational facilities improvement special fund;~~

9 ~~-(5) Convention center enterprise special fund under
10 section 201B-8;~~

11 ~~-(6)]~~ (3) Special funds established by section 206E-6;

12 ~~[-(7) Housing loan program revenue bond special fund;~~

13 ~~-(8) Housing project bond special fund;~~

14 ~~-(9)]~~ (4) Aloha Tower fund created by section 206J-17;

15 ~~[-(10)]~~ (5) Funds of the employees' retirement system created
16 by section 88-109;

17 ~~[-(11) Unemployment compensation fund established under
18 section 383-121;~~

19 ~~-(12)]~~ (6) Hawaii hurricane relief fund established under
20 chapter 431P;

21 ~~[-(13)]~~ (7) Hawaii health systems corporation special funds
22 and the subaccounts of its regional system boards;



- 1 ~~[(14) Tourism special fund established under section 201B-~~
2 ~~11,~~
- 3 ~~(15)]~~ (8) Universal service fund established under section
4 269-42;
- 5 ~~[(16)]~~ (9) Emergency and budget reserve fund under section
6 328L-3;
- 7 ~~[(17)]~~ (10) Public schools special fees and charges fund
8 under section 302A-1130;
- 9 ~~[(18) Sport fish special fund under section 187A-9.5,~~
- 10 ~~(19)]~~ (11) Glass advance disposal fee established by section
11 342G-82;
- 12 ~~[(20) Center for nursing special fund under section 304A-~~
13 ~~2163,~~
- 14 ~~(21)]~~ (12) Passenger facility charge special fund
15 established by section 261-5.5;
- 16 ~~[(22)]~~ (13) Court interpreting services revolving fund under
17 section 607-1.5; and
- 18 ~~[(23) Hawaii cancer research special fund,~~
- 19 ~~(24) Community health centers special fund,~~
- 20 ~~(25) Emergency medical services special fund,~~
- 21 ~~(26)]~~ (14) Rental motor vehicle customer facility charge
22 special fund established under section 261-5.6 ~~and~~



1 ~~(27) Shared services technology special fund under section~~
2 ~~27-43],~~
3 shall deduct five per cent of all receipts of all special funds,
4 which deduction shall be transferred to the general fund of the
5 State and become general realizations of the State. All
6 officers of the State and other persons having power to allocate
7 or disburse any special funds shall cooperate with the director
8 in effecting these transfers. To determine the proper revenue
9 base upon which the central service assessment is to be
10 calculated, the director shall adopt rules pursuant to chapter
11 91 for the purpose of suspending or limiting the application of
12 the central service assessment of any fund. No later than
13 twenty days prior to the convening of each regular session of
14 the legislature, the director shall report all central service
15 assessments made during the preceding fiscal year.

16 ~~[(b) Notwithstanding any other law to the contrary, the~~
17 ~~director shall deposit _____ per cent of all moneys collected~~
18 ~~pursuant to subsection (a) into the shared services technology~~
19 ~~special fund established pursuant to section 27-43.]"~~

20 SECTION 4. Section 36-30, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:

22 "(a) Each special fund, except the:



- 1 (1) Transportation use special fund established by section
- 2 261D-1;
- 3 (2) Special out-of-school time instructional program fund
- 4 under section 302A-1310;
- 5 (3) School cafeteria special funds of the department of
- 6 education;
- 7 ~~[(4) Special funds of the University of Hawaii;~~
- 8 ~~-(5) State educational facilities improvement special fund;~~
- 9 ~~-(6)]~~ (4) Special funds established by section 206E-6;
- 10 ~~[(7)]~~ (5) Aloha Tower fund created by section 206J-17;
- 11 ~~[(8)]~~ (6) Funds of the employees' retirement system created
- 12 by section 88-109;
- 13 ~~[(9) Unemployment compensation fund established under~~
- 14 ~~section 383-121;~~
- 15 ~~-(10)]~~ (7) Hawaii hurricane relief fund established under
- 16 section 431P-2;
- 17 ~~[(11) Convention center enterprise special fund established~~
- 18 ~~under section 201B-8;~~
- 19 ~~-(12)]~~ (8) Hawaii health systems corporation special funds
- 20 and the subaccounts of its regional system boards;
- 21 ~~[(13) Tourism special fund established under section 201B-~~
- 22 ~~11;~~



- 1 ~~(14)~~ ~~Universal service fund established under section 269-~~
2 ~~42,~~
- 3 ~~(15)]~~ (9) Emergency and budget reserve fund under section
4 328L-3;
- 5 ~~[(16)]~~ (10) Public schools special fees and charges fund
6 under section 302A-1130;
- 7 ~~[(17)~~ ~~Sport fish special fund under section 187A-9.5,~~
- 8 ~~(18)~~ ~~Center for nursing special fund under section 304A-~~
9 ~~2163,~~
- 10 ~~(19)]~~ (11) Passenger facility charge special fund
11 established by section 261-5.5;
- 12 ~~[(20)]~~ (12) Court interpreting services revolving fund under
13 section 607-1.5; and.
- 14 ~~[(21)~~ ~~Hawaii cancer research special fund,~~
- 15 ~~(22)~~ ~~Community health centers special fund,~~
- 16 ~~(23)~~ ~~Emergency medical services special fund,~~
- 17 ~~(24)]~~ (13) Rental motor vehicle customer facility charge
18 special fund established under section 261-5.6 [~~and~~
- 19 ~~(25)~~ ~~Shared services technology special fund under section~~
20 ~~27-43],~~



1 shall be responsible for its pro rata share of the
2 administrative expenses incurred by the department responsible
3 for the operations supported by the special fund concerned."

4 SECTION 5. Section 201H-80, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "[~~§~~201H-80~~]~~ Housing finance revolving fund~~;~~ ~~bond~~
7 ~~special funds~~]. (a) There is created a housing finance
8 revolving fund to be administered by the corporation.
9 Notwithstanding sections 36-21 and 201H-191, the proceeds in the
10 fund shall be used for long-term and other special financings of
11 the corporation and for the necessary expenses in administering
12 this part.

13 (b) All moneys received and collected by the corporation,
14 not otherwise pledged or obligated nor required by law to be
15 placed in any other special fund, shall be deposited in the
16 housing finance revolving fund.

17 [~~(c) A separate special fund shall be established for each~~
18 ~~housing project or system of housing projects or loan program~~
19 ~~financed from the proceeds of bonds secured under the same trust~~
20 ~~indenture. Each fund shall be designated "housing project bond~~
21 ~~special fund" or "housing loan program revenue bond special~~
22 ~~fund", as appropriate, and shall bear any additional designation~~



1 ~~as the corporation deems appropriate to properly identify the~~
2 ~~fund.~~

3 ~~(d) Notwithstanding any other law to the contrary, all~~
4 ~~revenues, income, and receipts derived from a housing project or~~
5 ~~system of projects or loan program financed from the proceeds of~~
6 ~~bonds or pledged to the payment of the principal of and interest~~
7 ~~and premium on bonds, shall be paid into the housing project~~
8 ~~bond special fund or housing loan program revenue bond special~~
9 ~~fund established for the housing project or system of projects~~
10 ~~or loan program and applied as provided in the proceedings~~
11 ~~authorizing the issuance of the bonds.] "~~

12 SECTION 6. Section 312-2, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§312-2 Powers of board[; ~~special fund~~]. The board of
15 education may:

16 (1) Except as provided in section 312-3.9, make
17 arrangements or contracts as are approved by the
18 governor, with any county, city, association, society,
19 person, or persons, for the purpose of benefiting the
20 libraries and increasing their facilities and use;

21 (2) Subject to section 26-12, enter into such arrangement
22 or contract as is approved by the governor, with the



1 Friends of the Library of Hawaii, for the purpose of
2 obtaining the use of the books and property and income
3 of the Friends of the Library of Hawaii;

4 (3) Cooperate by exchange and otherwise with libraries now
5 existing or hereafter to be formed;

6 (4) Receive, use, manage, or invest moneys or other
7 property, real, personal, or mixed which may be given,
8 bequeathed, devised, or in any manner received from
9 sources other than the legislature or any federal
10 appropriation for any or all purposes of the
11 libraries; and

12 ~~[(5) Deposit with the director of finance in a special fund
13 all moneys donated to the board for library services;~~

14 ~~(6)]~~ (5) Unless otherwise provided for by the terms and
15 conditions of [the] a donation, convert, at such time
16 as the board may at its sole discretion determine, any
17 or all donations of property, real, personal, or
18 mixed, into money [~~to be deposited into the special
19 fund; and~~

20 ~~(7) Expend the moneys in the special fund in accordance
21 with the terms and conditions of each donation for the
22 purposes of the libraries.~~



1 ~~The board shall be the trustee of the special fund and all~~
2 ~~moneys therein shall be deemed to have been appropriated to the~~
3 ~~use and for the purposes of the board in providing library~~
4 ~~services]. Nothing in this section shall be construed to limit~~
5 ~~the powers and duties of the board hereinbefore expressed, or to~~
6 ~~empower the board to obligate the State financially in any sum~~
7 ~~which shall not have been appropriated by the legislature for~~
8 ~~the use of the board."~~

9 SECTION 7. Section 312-21, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[~~f~~]~~§~~312-21[~~+~~] **Fee for enhanced services program;**
12 **established.** (a) The board of education, through the state
13 librarian, shall[~~+~~

14 ~~(1) Provide]~~ provide for the establishment and ongoing
15 operation of a fee for enhanced service program, which
16 includes but is not limited to the planning,
17 programming, and budgeting of operating, research and
18 development, and capital investment programs[~~+~~and

19 ~~(2) Administer a special fund to be known as the "library~~
20 ~~fee for enhanced services special fund".~~

21 ~~(b) Notwithstanding sections 312 3.6 and 312 4, all moneys~~
22 ~~collected through the fee for enhanced services program shall be~~



1 ~~deposited into the library fee for enhanced services special~~
2 ~~fund established under section 312-22].~~

3 [~~(e)~~] (b) The state librarian, with the approval of the
4 board of education, shall determine the types and kinds of
5 enhanced services to be included under the fee for enhanced
6 services program; provided that a schedule of fees for these
7 enhanced services shall be adopted in accordance with chapter
8 91. Libraries shall not be obligated to offer all of the
9 services specified in the fee for enhanced services program, and
10 each public library shall determine which services it will
11 provide."

12 SECTION 8. Section 706-603, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§706-603 DNA analysis monetary assessment** [~~, DNA registry~~
15 ~~special fund~~]. (1) In addition to any disposition authorized
16 by chapter 706 or 853, every defendant convicted of a felony
17 offense shall be ordered to pay a monetary assessment of \$500 or
18 the actual cost of the DNA analysis, whichever is less. The
19 court may reduce the monetary assessment if the court finds,
20 based on evidence presented by the defendant and not rebutted by
21 the State, that the defendant is not and will not be able to pay
22 the full monetary assessment and, based on the finding, shall



1 instead order the defendant to pay an assessment that the
2 defendant will be able to pay within five years.

3 (2) Notwithstanding any other law to the contrary, the
4 assessment and penalty provided by this section shall be in
5 addition to, and not in lieu of, and shall not be used to offset
6 or reduce, any fine or restitution authorized or required by
7 law. ~~[All assessments and penalties shall be paid into the DNA
8 registry special fund established in subsection (3)].~~

9 ~~(3) There is established a special fund to be known as the
10 DNA registry special fund which shall be administered by the
11 attorney general. The fund shall consist of:~~

- 12 ~~(a) All assessments and penalties ordered pursuant to~~
13 ~~subsection (1);~~
- 14 ~~(b) All other moneys received by the fund from any other~~
15 ~~source; and~~
- 16 ~~(c) Interest earned on any moneys in the fund.~~

17 ~~Moneys in the DNA registry special fund shall be used for DNA
18 collection, DNA testing, and related costs of recording,
19 preserving, and disseminating DNA information pursuant to
20 chapter 844D.~~

21 ~~(4)]~~ (3) Restitution to the victim of a sexual or violent
22 crime shall be made before payment of the monetary assessment."



1 SECTION 9. Section 706-650, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§706-650[+] Drug demand reduction assessments [~~+~~
4 ~~special fund~~]. (1) In addition to any disposition authorized
5 by chapter 706 or 853, any person who is:

- 6 (a) Convicted of an offense under part IV of chapter 712,
7 except sections 712-1250.5 and 712-1257;
- 8 (b) Convicted under section 707-702.5;
- 9 (c) Convicted of a felony or misdemeanor offense under
10 part IV of chapter 329;
- 11 (d) Convicted under section 291-3.1, 291-3.2, 291-3.3,
12 291E-61, or 291E-61.5;
- 13 (e) Found in violation of part III of chapter 291E; or
- 14 (f) Charged with any offense under paragraphs (a) to (d)
15 who has been granted a deferred acceptance of guilty
16 or no contest plea;

17 shall be ordered to pay a monetary assessment under subsection
18 (2), except as provided under subsection [~~(6)~~] (4).

19 (2) Monetary assessments for individuals subject to
20 subsection (1) shall not exceed the following:

- 21 (a) \$3,000 when the offense is a class A felony;
- 22 (b) \$2,000 when the offense is a class B felony;



- 1 (c) \$1,000 when the offense is a class C felony;
- 2 (d) \$500 when the offense is a misdemeanor; or
- 3 (e) \$250 when the person has been found guilty of an
- 4 offense under section 712-1249, 291-3.1, 291-3.2, 291-
- 5 3.3, 291E-61, or has been found in violation of part
- 6 III of chapter 291E.

7 Notwithstanding sections 706-640 and 706-641 and any other law
8 to the contrary, the assessments provided by this section shall
9 be in addition to and not in lieu of, and shall not be used to
10 offset or reduce, any fine authorized or required by law.

11 ~~[(3) There is established a special fund to be known as~~
12 ~~the "drug demand reduction assessments special fund" to be~~
13 ~~administered by the department of health. The disbursement of~~
14 ~~money from the drug demand reduction assessments special fund~~
15 ~~shall be used to supplement substance abuse treatment and other~~
16 ~~substance abuse demand reduction programs.~~

17 ~~(4) All monetary assessments paid and interest accrued on~~
18 ~~funds collected pursuant to this section shall be deposited into~~
19 ~~the drug demand reduction assessments special fund.~~

20 ~~(5)]~~ (3) Restitution to the victim of a crime enumerated
21 in subsection (1) shall be made, and probation fees and crime



1 victim compensation fees imposed under part III of chapter 706
2 shall be paid, before payment of the monetary assessment.

3 ~~[(6)]~~ (4) If the court determines that the person has the
4 ability to pay the monetary assessment and is eligible for
5 probation or will not be sentenced to incarceration, unless
6 otherwise required by law, the court may order the person to
7 undergo a substance abuse treatment program at the person's
8 expense. If the person undergoes a substance abuse treatment
9 program at the person's expense, the court may waive or reduce
10 the amount of the monetary assessment. Upon a showing by the
11 person that the person lacks the financial ability to pay all or
12 part of the monetary assessment, the court may waive or reduce
13 the amount of the monetary assessment."

14 SECTION 10. Section 6E-16, Hawaii Revised Statutes, is
15 repealed.

16 ~~["§6E-16 Hawaii historic preservation special fund. (a)~~
17 ~~There is established a Hawaii historic preservation special fund~~
18 ~~into which shall be deposited the following moneys:~~

- 19 ~~(1) Appropriations by the legislature to the special fund;~~
20 ~~(2) Gifts, donations, and grants from public agencies and~~
21 ~~private persons;~~



- 1 ~~(3) All proceeds collected by the department derived from~~
2 ~~historic preserve user fees, historic preserve leases~~
3 ~~or concession fees, fees charged to carry out the~~
4 ~~purposes of this chapter, or the sale of goods, and~~
5 ~~(4) Civil, criminal, and administrative penalties, fines,~~
6 ~~and other charges collected under this chapter or any~~
7 ~~rule adopted pursuant to this chapter.~~

8 ~~All interest earned or accrued on moneys deposited in the fund~~
9 ~~shall become part of the fund. The fund shall be administered~~
10 ~~by the department, provided that the department may contract~~
11 ~~with a public or private agency to provide the day to day~~
12 ~~management of the fund.~~

13 ~~(b) Subject to legislative authorization, the department~~
14 ~~may expend moneys from the fund:~~

- 15 ~~(1) For permanent and temporary staff positions,~~
16 ~~(2) To replenish goods,~~
17 ~~(3) To produce public information materials,~~
18 ~~(4) To provide financial assistance to public agencies and~~
19 ~~private agencies in accordance with chapter 42F~~
20 ~~involved in historic preservation activities other~~
21 ~~than those covered by section 6E-9, and~~



1 ~~(5) To cover administrative and operational costs of the~~
2 ~~historic preservation program.~~

3 ~~(c) The department shall adopt rules in accordance with~~
4 ~~chapter 91 for the purposes of this section."]~~

5 SECTION 11. Section 21D-5, Hawaii Revised Statutes, is
6 repealed.

7 ~~["§21D-5 Hawaii legislative publications special fund;~~
8 ~~established. (a) There is established a Hawaii legislative~~
9 ~~publications special fund within the treasury of the State into~~
10 ~~which shall be deposited:~~

11 ~~(1) All licensing fees or royalties derived from the~~
12 ~~publication of the Hawaii Revised Statutes in~~
13 ~~electronic format;~~

14 ~~(2) All appropriations made by the legislature to the~~
15 ~~fund; and~~

16 ~~(3) Any other proceeds derived from the publication and~~
17 ~~use of other legislative publications and information~~
18 ~~services in an electronic format.~~

19 ~~All interest accrued by the revenues of the fund shall~~
20 ~~become part of the fund.~~

21 ~~(b) Moneys in the Hawaii legislative publications special~~
22 ~~fund shall be used by the legislature to operate and improve the~~



1 ~~computer and public access systems of the legislature.~~
2 ~~Expenditures from the Hawaii legislative publications special~~
3 ~~fund shall be authorized and disbursed through joint agreement~~
4 ~~of the president of the senate and the speaker of the house of~~
5 ~~representatives.~~

6 ~~(c) The Hawaii legislative publications special fund shall~~
7 ~~not be subject to section 37-53."]~~

8 SECTION 12. Section 27G-6, Hawaii Revised Statutes, is
9 repealed.

10 ~~[" §27G-6] Access Hawaii committee special fund. There is~~
11 ~~established in the state treasury the access Hawaii committee~~
12 ~~special fund, into which shall be deposited fees collected by~~
13 ~~the information and communication services division within the~~
14 ~~department of accounting and general services for the purpose of~~
15 ~~supporting the access Hawaii committee. Expenditures from the~~
16 ~~access Hawaii committee special fund shall be approved by the~~
17 ~~access Hawaii committee; provided that information on income and~~
18 ~~expenditures shall be subject to legislative review and~~
19 ~~oversight in each budget submittal from the department of~~
20 ~~accounting and general services."]~~

21 SECTION 13. Section 28-15, Hawaii Revised Statutes, is
22 repealed.



1 ~~["§28-15 Tobacco enforcement special fund. (a) There is~~
2 ~~established in the state treasury the tobacco enforcement~~
3 ~~special fund, into which shall be deposited the tobacco~~
4 ~~settlement moneys as provided by section 328L-2(a), the~~
5 ~~allocated portion of the stamp fee designated to pay for the~~
6 ~~cost of enforcing the cigarette tax stamp as provided by section~~
7 ~~245-26, and fines as provided for by section 245-41.~~

8 ~~(b) The tobacco enforcement special fund shall be~~
9 ~~administered by the department of the attorney general and shall~~
10 ~~be used for administering, operating, monitoring, and ensuring~~
11 ~~compliance with and enforcement of:~~

12 ~~(1) The Master Settlement Agreement as defined in chapter~~
13 ~~675 and any other statutes or programs relating to~~
14 ~~that agreement;~~

15 ~~(2) Chapter 675;~~

16 ~~(3) Tobacco prevention programs;~~

17 ~~(4) The cigarette tax stamp as defined in chapter 245 and~~
18 ~~any other statutes or programs relating to that~~
19 ~~chapter;~~

20 ~~(5) Chapter 245;~~

21 ~~(6) Chapter 486P and any other statutes or programs~~
22 ~~relating to that chapter; and~~



1 ~~(7) Any other requirement deemed necessary to carry out~~
2 ~~the purposes of the fund.~~

3 ~~(c) All unencumbered and unexpended moneys in excess of~~
4 ~~\$500,000 remaining on balance in the tobacco enforcement special~~
5 ~~fund at the close of June 30 of each year shall lapse to the~~
6 ~~credit of the state general fund.~~

7 ~~(d) The department of the attorney general shall submit a~~
8 ~~report to the legislature, no later than twenty days prior to~~
9 ~~the convening of each regular session, providing an accounting~~
10 ~~of the receipts and expenditures of the fund."]~~

11 SECTION 14. Section 28-91.5, Hawaii Revised Statutes, is
12 repealed.

13 ~~["§28-91.5] Medicaid investigations recovery fund,~~
14 ~~established. There is established in the state treasury the~~
15 ~~medicaid investigations recovery fund as a special fund, and~~
16 ~~which is to be administered by the department of the attorney~~
17 ~~general, into which shall be deposited all funds that have been~~
18 ~~recovered as a result of medicaid fraud settlements. Moneys~~
19 ~~from this special fund shall be used to support a portion of~~
20 ~~operating expenses of the medicaid fraud unit within the~~
21 ~~department of the attorney general."]~~



1 SECTION 15. Section 36-32, Hawaii Revised Statutes, is
2 repealed.

3 ~~["§36-32 State educational facilities improvement special~~
4 ~~fund. (a) There is created in the treasury of the State the~~
5 ~~state educational facilities improvement special fund, into~~
6 ~~which shall be deposited a portion of all general excise tax~~
7 ~~revenues collected by the department of taxation under section~~
8 ~~237-31. The special fund shall be used solely to plan, design,~~
9 ~~acquire lands for, and to construct public school facilities and~~
10 ~~to provide equipment and technology infrastructure to improve~~
11 ~~public schools and other facilities under the jurisdiction of~~
12 ~~the department of education, except public libraries. In~~
13 ~~addition, activities of the department of education intended to~~
14 ~~eliminate the gap between the facility needs of schools and~~
15 ~~available resources shall be eligible for funding from the~~
16 ~~special fund. Expenditures from the special fund shall be~~
17 ~~limited to projects authorized by the legislature and shall be~~
18 ~~subject to sections 37-31, and 37-33 through 37-40.~~
19 ~~Appropriations or authorizations from the special fund shall be~~
20 ~~expended by the superintendent of education.~~

21 ~~(b) There is established within the state educational~~
22 ~~facilities improvement special fund a separate account, to be~~



1 ~~known as the lease payments for schools account, for lease~~
2 ~~payments required by financing agreements entered into by the~~
3 ~~department of education pursuant to this section and sections~~
4 ~~37D-2 and 302A-1506. The lease payments for schools account~~
5 ~~shall be funded by legislative appropriations and expended by~~
6 ~~the superintendent of education. Expenditures from the lease~~
7 ~~payments for schools account shall be exempt from chapters 103~~
8 ~~and 103D and are restricted to lease payments on new schools~~
9 ~~included within the department of education's current six year~~
10 ~~capital improvement programs and for which:~~

- 11 ~~(1) The legislature adopted a concurrent resolution~~
12 ~~directing the department of education to:~~
- 13 ~~(A) Build a new school in a specific geographic area~~
14 ~~using the design-build method; and~~
- 15 ~~(B) Pursue the use of a financing agreement to build~~
16 ~~the new school; or~~
- 17 ~~(2) The legislature appropriated planning and design funds~~
18 ~~and specified that the remainder of the costs~~
19 ~~necessary to complete the project are eligible for~~
20 ~~funding through a financing agreement;~~
- 21 ~~provided that any school to which the legislature has~~
22 ~~appropriated planning and design funds prior to July 1, 2007 and~~



1 ~~for which a private developer is willing to enter into a lease-~~
2 ~~purchase agreement with the department of education within~~
3 ~~twelve months of July 1, 2007 is exempt from the requirements of~~
4 ~~{paragraphs} (1) and (2).~~

5 ~~(c) The department of education shall submit an annual~~
6 ~~report to the legislature that shall include a financial~~
7 ~~statement of the special fund, the lease payments for schools~~
8 ~~account established under subsection (b), and the status of~~
9 ~~projects undertaken pursuant to this section, no later than~~
10 ~~twenty days prior to the convening of each regular session."]~~

11 SECTION 16. Section 88-224, Hawaii Revised Statutes, is
12 repealed.

13 [~~§88-224 Contribution fund; established. There is~~
14 ~~established a special fund to be known as the contribution fund.~~
15 ~~The fund shall consist of and there shall be deposited in such~~
16 ~~fund.~~

17 ~~(1) All contributions, interest, and penalties collected~~
18 ~~under sections 88-215 and 88-221 to 88-223,~~

19 ~~(2) All moneys appropriated thereto under this part,~~

20 ~~(3) Any property or securities and earnings thereof~~
21 ~~acquired through the use of moneys belonging to the~~
22 ~~fund,~~



- 1 ~~(4) Interest earned upon any moneys in the fund, and~~
2 ~~(5) All sums recovered upon the bond of the custodian or~~
3 ~~otherwise for losses sustained by the fund and all~~
4 ~~other moneys received for the fund and from any other~~
5 ~~source.~~

6 ~~All moneys in the fund shall be mingled and undivided.~~
7 ~~Subject to the provisions of this part, the state agency is~~
8 ~~vested with full power, authority and jurisdiction over the~~
9 ~~fund, including all moneys and property or securities belonging~~
10 ~~thereto, and may perform any and all acts whether or not~~
11 ~~specifically designated, which are necessary to the~~
12 ~~administration thereof and are consistent with this part."]~~

13 SECTION 17. Section 103-8.5, Hawaii Revised Statutes, is
14 repealed.

15 ~~["§103-8.5 Works of art special fund. (a) There is~~
16 ~~created a works of art special fund, into which shall be~~
17 ~~transferred one per cent of all state fund appropriations for~~
18 ~~capital improvements designated for the construction cost~~
19 ~~element; provided that this transfer shall apply only to capital~~
20 ~~improvement appropriations that are designated for the~~
21 ~~construction or renovation of state buildings. The one per cent~~
22 ~~transfer requirement shall not apply to appropriations from the~~



1 ~~passenger facility charge special fund established by section~~
2 ~~261-5.5 and the rental motor vehicle customer facility charge~~
3 ~~special fund established under section 261-5.6.~~

4 ~~(b) The works of art special fund shall be used solely for~~
5 ~~the following purposes:~~

- 6 ~~(1) Costs related to the acquisition of works of art,~~
7 ~~including any consultant or staff services required to~~
8 ~~carry out the art in public places and relocatable~~
9 ~~works of art programs;~~
- 10 ~~(2) Site modifications, display, and interpretive work~~
11 ~~necessary for the exhibition of works of art;~~
- 12 ~~(3) Upkeep services, including maintenance, repair, and~~
13 ~~restoration of works of art;~~
- 14 ~~(4) Storing and transporting works of art.~~

15 ~~(c) The one per cent amount, which is included in all~~
16 ~~capital improvement appropriations, shall be calculated at the~~
17 ~~time the appropriation bills are signed into law. The moneys~~
18 ~~shall be transferred into the works of art special fund upon~~
19 ~~availability of moneys from the appropriations. Each agency~~
20 ~~receiving capital improvement appropriations shall calculate the~~
21 ~~one per cent amount and transfer the moneys into the works of~~
22 ~~art special fund.~~



1 ~~(d) The comptroller and the state foundation on culture~~
2 ~~and the arts shall decide on the specific art objects to~~
3 ~~acquire, giving first consideration to placing appropriate~~
4 ~~pieces of art at the locations of the original appropriation.~~

5 ~~The selection of, commissioning artists for, reviewing of~~
6 ~~design, execution, and placement of, and the acceptance of works~~
7 ~~of art shall be the responsibility of the comptroller and the~~
8 ~~state foundation on culture and the arts in consultation with~~
9 ~~the affected agency or department.~~

10 ~~Expenditures from the works of art special fund shall be~~
11 ~~made by the comptroller.~~

12 ~~(e) The comptroller shall:~~

13 ~~(1) Provide each agency receiving capital improvement~~
14 ~~appropriations with information regarding items that~~
15 ~~shall be included and excluded from the one per cent~~
16 ~~amount;~~

17 ~~(2) Ensure that each agency calculates its one per cent~~
18 ~~amount correctly; and~~

19 ~~(3) Ensure that each agency transfers the correct amount~~
20 ~~to the works of art special fund in a timely manner.~~



1 ~~(f) The comptroller and the executive director shall track~~
2 ~~amounts due from each agency under the one per cent requirement~~
3 ~~as provided in this section."]~~

4 SECTION 18. Section 109-3, Hawaii Revised Statutes, is
5 repealed.

6 ~~["§109-3 Stadium special fund. There is created a special~~
7 ~~fund to be known as the stadium special fund into which funds~~
8 ~~collected by the authority shall be deposited; provided that all~~
9 ~~funds received pursuant to this section shall be kept completely~~
10 ~~separate from the Kapelei recreational sports complex special~~
11 ~~fund. Moneys may not be transferred between the stadium special~~
12 ~~fund and the Kapelei recreational sports complex special fund.~~
13 ~~The stadium special fund shall be applied, used, and disposed of~~
14 ~~for the payment of:~~

15 ~~(1) The expenses of the operation, maintenance, promotion,~~
16 ~~and management of; and~~

17 ~~(2) All or a portion of the cost of financing any capital~~
18 ~~improvement project for;~~

19 ~~the stadium and related facilities; provided that all services~~
20 ~~required for the stadium and related facilities shall be~~
21 ~~performed by persons hired on contract or otherwise, without~~
22 ~~regard for chapter 76; provided further that the authority shall~~



1 ~~report to the legislature all receipts and expenditures of the~~
2 ~~stadium special fund account twenty days prior to the convening~~
3 ~~of each regular session."]~~

4 SECTION 19. Section 109-9, Hawaii Revised Statutes, is
5 repealed.

6 [~~§109-9~~ ~~Kapolei recreational sports complex special~~
7 ~~fund.~~ ~~There is created a special fund to be known as the~~
8 ~~Kapolei recreational sports complex special fund into which~~
9 ~~funds appropriated by the legislature, received pursuant to a~~
10 ~~management contract under section 109-2(3), or collected by the~~
11 ~~authority from the operations of the Kapolei recreational sports~~
12 ~~complex shall be deposited subject to contracts entered into~~
13 ~~pursuant to section 109-2(3); provided that all funds received~~
14 ~~pursuant to this section shall be kept completely separate from~~
15 ~~the stadium special fund. Moneys may not be transferred between~~
16 ~~the Kapolei recreational sports complex special fund and the~~
17 ~~stadium special fund. The Kapolei [recreational] sports complex~~
18 ~~special fund shall be applied, used, and disposed of for the~~
19 ~~payment of:~~

20 (1) ~~The expenses of the operation, maintenance, promotion,~~
21 ~~and management of; and~~



1 ~~(2) All or a portion of the cost of financing any capital~~
2 ~~improvement project for;~~
3 ~~the Kapolei recreational sports complex; provided that all~~
4 ~~services required for the Kapolei recreational sports complex~~
5 ~~shall be performed by persons hired on contract or otherwise,~~
6 ~~without regard for chapter 76; provided further that the~~
7 ~~authority shall report annually to the legislature all receipts~~
8 ~~and expenditures of the Kapolei recreational [sports] complex~~
9 ~~special fund account no later than twenty days prior to the~~
10 ~~convening of each regular session."]~~

11 SECTION 20. Section 138-3, Hawaii Revised Statutes, is
12 repealed.

13 ~~["§138-3 Wireless enhanced 911 fund. There is established~~
14 ~~outside the state treasury a special fund, to be known as the~~
15 ~~wireless enhanced 911 fund, to be administered by the board.~~
16 ~~The fund shall consist of amounts collected under section 138-4.~~
17 ~~The board shall place the funds in an interest bearing account~~
18 ~~at any federally insured financial institution, separate and~~
19 ~~apart from the general fund of the State. Moneys in the fund~~
20 ~~shall be expended exclusively by the board for the purposes of~~
21 ~~ensuring adequate cost recovery for the deployment of phase I~~
22 ~~and phase II wireless enhanced 911 service and for expenses of~~



1 ~~administering the fund. Any funds that accumulate in the~~
2 ~~wireless enhanced 911 fund shall be retained in the fund unless~~
3 ~~determined by the legislature to be in excess."]~~

4 SECTION 21. Section 141-2.7, Hawaii Revised Statutes, is
5 repealed.

6 [~~["§141-2.7] Aquaculture development special fund. (a)~~
7 ~~There is established in the state treasury the aquaculture~~
8 ~~development special fund into which shall be deposited:~~

- 9 ~~(1) Appropriations from the legislature;~~
- 10 ~~(2) Moneys collected as fees for special microbiological~~
11 ~~and histological procedures and expert aquaculture-~~
12 ~~related services;~~
- 13 ~~(3) Moneys collected from the sale of any item related to~~
14 ~~aquaculture development that is purchased from the~~
15 ~~department;~~
- 16 ~~(4) Moneys directed to the aquaculture development program~~
17 ~~from any other sources, including but not limited to~~
18 ~~grants, gifts, and awards; and~~
- 19 ~~(5) Moneys derived from interest, dividend, or other~~
20 ~~income from the above sources.~~

21 ~~(b) Moneys in the aquaculture development special fund~~
22 ~~shall be used to:~~



- 1 ~~(1) Implement the aquatic disease management programs and~~
2 ~~activities of the department, including provision of~~
3 ~~state funds to match federal grants; and~~
- 4 ~~(2) Support research and development programs and~~
5 ~~activities relating to the expansion of the state~~
6 ~~aquaculture industry. Research and development~~
7 ~~programs and activities funded under this paragraph~~
8 ~~may be conducted by department personnel or through~~
9 ~~contracts with the University of Hawaii or other~~
10 ~~qualified persons."]~~

11 SECTION 22. Section 141-10, Hawaii Revised Statutes, is
12 repealed.

13 ~~["[§141-10] Agricultural development and food security~~
14 ~~special fund; establishment. (a) There is established within~~
15 ~~the state treasury the agricultural development and food~~
16 ~~security special fund.~~

17 ~~(b) The following moneys shall be deposited into the~~
18 ~~special fund:~~

- 19 ~~(1) The portion of the environmental response, energy, and~~
20 ~~food security tax specified under section 243-3.5;~~
- 21 ~~(2) Any appropriation by the legislature into the special~~
22 ~~fund;~~



- 1 ~~(3) Any grant or donation made to the special fund; and~~
- 2 ~~(4) Any interest earned on the balance of the special~~
- 3 ~~fund.~~
- 4 ~~(c) Subject to legislative appropriation, moneys in the~~
- 5 ~~special fund may be expended for the following purposes:~~
- 6 ~~(1) The awarding of grants to farmers for agricultural~~
- 7 ~~production or processing activity;~~
- 8 ~~(2) The acquisition of real property for agricultural~~
- 9 ~~production or processing activity;~~
- 10 ~~(3) The improvement of real property, irrigation systems,~~
- 11 ~~and transportation networks necessary to promote~~
- 12 ~~agricultural production or processing activity;~~
- 13 ~~(4) The purchase of equipment necessary for agricultural~~
- 14 ~~production or processing activity;~~
- 15 ~~(5) The conduct of research on and testing of agricultural~~
- 16 ~~products and markets;~~
- 17 ~~(6) The funding of agricultural inspector positions within~~
- 18 ~~the department of agriculture;~~
- 19 ~~(7) The promotion and marketing of agricultural products~~
- 20 ~~grown or raised in the State; and~~
- 21 ~~(8) Any other activity intended to increase agricultural~~
- 22 ~~production or processing that may lead to reduced~~



1 ~~importation of food, fodder, or feed from outside the~~
2 ~~State.~~

3 ~~(d) The department of agriculture shall submit a report to~~
4 ~~the legislature no later than twenty days prior to the convening~~
5 ~~of each regular session on the status and progress of existing~~
6 ~~programs and activities and the status of new programs and~~
7 ~~activities funded under the agricultural development and food~~
8 ~~security special fund. The report shall also include:~~

- 9 ~~(1) The spending plan of the agricultural development and~~
10 ~~food security special fund;~~
- 11 ~~(2) All expenditures of agricultural development and food~~
12 ~~security special fund moneys;~~
- 13 ~~(3) The targeted markets of the expenditures, including~~
14 ~~the reason for selecting those markets;~~
- 15 ~~(4) The persons to be served using the expenditures; and~~
- 16 ~~(5) The specific objectives of the expenditures,~~
17 ~~including measurable outcomes."]~~

18 SECTION 23. Section 142-28.5, Hawaii Revised Statutes, is
19 repealed.

20 ~~["§142-28.5 Animal quarantine special fund. There is~~
21 ~~established the animal quarantine special fund to be~~



1 ~~administered by the board of agriculture. All moneys received~~
2 ~~by the board of agriculture from:~~

3 ~~(1) Fees for the quarantine of cats, dogs, and other~~
4 ~~carnivores pursuant to this chapter;~~

5 ~~(2) Moneys received for the use of animal quarantine~~
6 ~~property or facilities pursuant to section 142-3.5; or~~

7 ~~(3) State appropriations or other moneys made available,~~
8 ~~shall be deposited into the special fund. All interest earned~~
9 ~~or accrued on moneys deposited in the special fund shall become~~
10 ~~part of the special fund. Moneys in the special fund shall be~~
11 ~~expended to cover all costs of quarantine but not limited to the~~
12 ~~costs of salaries, fringe benefits, operating expenses,~~
13 ~~including the defraying of quarantine fees, equipment, motor~~
14 ~~vehicles, contract with any qualified person or entity for~~
15 ~~animal care services, operation and maintenance of the~~
16 ~~quarantine station, and promotional expenses. A reserve shall~~
17 ~~be appropriated and maintained in the special fund to cover~~
18 ~~contingency costs, including but not limited to accrued vacation~~
19 ~~leave, unemployment insurance, and workers' compensation."]~~

20 SECTION 24. Section 148-67, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§148-67] Seal of quality special fund. (a) There is~~
2 ~~established in the state treasury the seal of quality special~~
3 ~~fund, into which shall be deposited:~~

4 ~~(1) All revenues from the operations of the seal of~~
5 ~~quality program established under section 148-61;~~

6 ~~(2) Fines collected under section 148-66; and~~

7 ~~(3) Any appropriations made by the legislature to the~~
8 ~~fund.~~

9 ~~(b) Moneys in the special fund may be expended for all~~
10 ~~costs associated with the seal of quality program, including:~~

11 ~~(1) Conducting trade shows, retail shows, conferences,~~
12 ~~seminars, and other promotional activities;~~

13 ~~(2) Expenses for designs, program labels, items and~~
14 ~~materials, displays, brochures, media advertisements,~~
15 ~~inspection, and review and investigative activities~~
16 ~~relating to application and enforcement of the~~
17 ~~program;~~

18 ~~(3) Printing, mailing, airfare and per diem, lei, decors,~~
19 ~~rental of facilities and audio visual equipment,~~
20 ~~display and booth fees, participation fees, general~~
21 ~~supplies; and~~



1 ~~(4) Any other expense necessary to administer the~~
2 ~~program."~~]

3 SECTION 25. Section 157-29, Hawaii Revised Statutes, is
4 repealed.

5 ~~"[§157-29] Milk control special fund. There is~~
6 ~~established the milk control special fund to be administered by~~
7 ~~the board of agriculture. All moneys received by the board of~~
8 ~~agriculture as application fees and for licenses or otherwise~~
9 ~~under this chapter, and any state appropriations or other moneys~~
10 ~~made available to carry out the purposes of this chapter, shall~~
11 ~~be deposited into the special fund. All interest earned or~~
12 ~~accrued on moneys deposited in the special fund shall become~~
13 ~~part of the special fund. Moneys in the special fund shall be~~
14 ~~expended to cover all costs of administering this chapter~~
15 ~~including but not limited to the costs of salaries, fringe~~
16 ~~benefits, operating expenses, equipment, motor vehicles,~~
17 ~~contracts for services, and promotional expenses. Moneys in the~~
18 ~~special fund may be transferred to the general fund for salaries~~
19 ~~and fringe benefits of other state employees assisting in~~
20 ~~administering this chapter and other related costs. A reserve~~
21 ~~shall be maintained in the special fund to cover contingency~~



1 ~~costs including but not limited to accrued vacation leave,~~
2 ~~unemployment insurance, and workers' compensation."]~~

3 SECTION 26. Section 166-10, Hawaii Revised Statutes, is
4 repealed.

5 [~~§166-10 Agricultural park special fund. (a) There is~~
6 ~~created in the state treasury a special fund to be designated as~~
7 ~~the agricultural park special fund. The proceeds in the fund~~
8 ~~shall be used for the following purposes:~~

9 (1) ~~Payment of agricultural park lease rents of privately~~
10 ~~owned lands under lease to the State pursuant to~~
11 ~~sections 171-112 and 166-3;~~

12 (2) ~~Establishing, operating, maintaining, and improving~~
13 ~~infrastructure improvements in agricultural parks~~
14 ~~designated by the department pursuant to section 166-~~
15 ~~3; and~~

16 (3) ~~Any other purposes deemed necessary by the department~~
17 ~~for the purpose of maintaining and operating those~~
18 ~~agricultural parks and related facilities designated~~
19 ~~by the department pursuant to section 166-3.~~

20 For the purpose of paragraph (2), ~~infrastructure~~
21 ~~improvements may include, but shall not be limited to:~~
22 ~~irrigation water system projects, wind power or hydro power and~~



1 ~~pumping systems, waste disposal systems, domestic water systems,~~
2 ~~roads, street lights, land and roads drainage, and bridges.~~

3 ~~(b) Moneys appropriated for the purpose of the fund; any~~
4 ~~other provision of the law to the contrary notwithstanding, all~~
5 ~~moneys received or collected from an agricultural park project~~
6 ~~designated pursuant to section 166-3, including residential and~~
7 ~~agricultural lot lease rents; and all money collected or~~
8 ~~received by the department for the use and maintenance of~~
9 ~~domestic and irrigation water systems within an agricultural~~
10 ~~park and other systems enumerated in subsection (a) shall be~~
11 ~~deposited into the agricultural park special fund. All interest~~
12 ~~earned or accrued on moneys deposited in the fund shall become a~~
13 ~~part of the fund. Moneys in the fund shall be expended upon~~
14 ~~warrants drawn by the comptroller."]~~

15 SECTION 27. Section 166E-7, Hawaii Revised Statutes, is
16 repealed.

17 ~~["~~§166E-7~~ Non-agricultural park lands special fund;~~
18 ~~established. (a) There is established in the state treasury~~
19 ~~the non-agricultural park lands special fund, into which shall~~
20 ~~be deposited:~~

21 ~~(1) Legislative appropriations to the fund; and~~



1 ~~(2) All lease rent, fees, penalties, and any other revenue~~
2 ~~or funds collected from non agricultural park lands~~
3 ~~that are transferred, or in the process of being~~
4 ~~transferred, to the department under this chapter.~~

5 ~~(b) Moneys in the special fund shall be used to defray the~~
6 ~~costs incurred in managing, administering, and overseeing non-~~
7 ~~agricultural park lands that are transferred, or in the process~~
8 ~~of being transferred, to the department under this chapter.~~

9 ~~(c) The department shall administer the non agricultural~~
10 ~~park lands special fund."].~~

11 SECTION 28. Section 167-22.5, Hawaii Revised Statutes, is
12 repealed.

13 ~~["~~§167-22.5~~ Irrigation water development special fund.~~

14 ~~(a) There is established in the state treasury the irrigation~~
15 ~~water development special fund, into which shall be deposited:~~

16 ~~(1) Appropriations by the legislature to the irrigation~~
17 ~~water development special fund;~~

18 ~~(2) All receipts and revenues derived from irrigation~~
19 ~~projects financed through the issuance of revenue~~
20 ~~bonds;~~

21 ~~(3) All or any portion of the receipts and revenues~~
22 ~~collected under this chapter, as determined by the~~



1 ~~board, whether or not receipts or revenues are derived~~
2 ~~from irrigation projects financed through the issuance~~
3 ~~of revenue bonds; and~~

4 ~~(4) Interest earned or accrued on moneys in the irrigation~~
5 ~~water development special fund.~~

6 ~~(b) Moneys in the irrigation water development special~~
7 ~~fund shall be used by the board for the following purposes:~~

8 ~~(1) Planning, design, improvement, construction, land~~
9 ~~acquisition, and equipment necessary for the~~
10 ~~development, operation, or maintenance of an~~
11 ~~irrigation project;~~

12 ~~(2) Payment of debt service on revenue bonds issued by the~~
13 ~~department for irrigation project purposes, and the~~
14 ~~establishment of debt service and other revenues~~
15 ~~deemed necessary by the board;~~

16 ~~(3) Reimbursement of the general fund for debt service on~~
17 ~~general obligation bonds issued to finance irrigation~~
18 ~~projects where the bonds are designated to be~~
19 ~~reimbursable out of the irrigation water development~~
20 ~~special fund; and~~

21 ~~(4) Any other purpose deemed necessary by the board for~~
22 ~~the purpose of planning, designing, improving,~~



1 ~~constructing, developing, operating, and maintaining~~
2 ~~irrigation projects."]~~

3 SECTION 29. Section 167-24, Hawaii Revised Statutes, is
4 repealed.

5 ~~["§167-24] Irrigation repair and maintenance special~~
6 ~~fund. (a) There is established in the state treasury the~~
7 ~~irrigation repair and maintenance special fund that shall be~~
8 ~~administered by the board.~~

9 ~~(b) Moneys in the irrigation repair and maintenance~~
10 ~~special fund shall be used to fund repair and maintenance of the~~
11 ~~following irrigation systems:~~

- 12 ~~(1) East Kauai irrigation system;~~
- 13 ~~(2) Kekaha ditch;~~
- 14 ~~(3) Kokee ditch;~~
- 15 ~~(4) Maui Land/Pioneer Mill irrigation system;~~
- 16 ~~(5) Waiahole ditch;~~
- 17 ~~(6) Lower Hamakua irrigation system;~~
- 18 ~~(7) Molokai irrigation system;~~
- 19 ~~(8) Upcountry Maui irrigation system;~~
- 20 ~~(9) Waimanalo irrigation system;~~
- 21 ~~(10) Waimea irrigation system;~~
- 22 ~~(11) East Maui irrigation system;~~



- 1 ~~(12) Kauai coffee irrigation system;~~
- 2 ~~(13) West Maui irrigation system;~~
- 3 ~~(14) Kau irrigation system;~~
- 4 ~~(15) Honomalino irrigation system;~~
- 5 ~~(16) Wahiawa reservoir and ditch system; and~~
- 6 ~~(17) Other privately owned irrigation systems on former~~
- 7 ~~sugarcane and pineapple plantation lands that have~~
- 8 ~~been converted to diversified agriculture.~~

9 ~~(c) The irrigation repair and maintenance special fund~~
10 ~~shall be funded by legislative appropriations, including general~~
11 ~~obligation bond funds and federal funds.~~

12 ~~(d) Landowners may apply for funding assistance from the~~
13 ~~irrigation repair and maintenance special fund; provided that~~
14 ~~the landowner:~~

15 ~~(1) Provides matching funding equal to the amount received~~
16 ~~from the irrigation repair and maintenance special~~
17 ~~fund;~~

18 ~~(2) Agrees to file a petition for declaratory ruling~~
19 ~~pursuant to section 205-45 designating a majority of~~
20 ~~all land served by the water produced by the~~
21 ~~irrigation system as important agricultural lands as~~
22 ~~defined under section 205-42 and notifies the board~~



1 ~~and county of the petition and designation for the~~
2 ~~purpose of inclusion on maps, and~~
3 ~~(3) Agrees to use, or provide for the use of, all lands~~
4 ~~owned or controlled by the landowner and served by the~~
5 ~~water produced by the irrigation system for~~
6 ~~agricultural production.~~

7 ~~The board shall develop processes, policies, standards, and~~
8 ~~criteria for selecting the landowners that are to receive~~
9 ~~funding and the amount of such funding. The board shall also~~
10 ~~develop processes, policies, standards, and criteria for~~
11 ~~determining the amount of funding provided to irrigation systems~~
12 ~~in subsection (b) owned by the State.~~

13 ~~(e) As used in this section:~~

14 ~~"Diversified agriculture" means agricultural operations~~
15 ~~that produce diversified agricultural products, including~~
16 ~~flowers, nursery products, vegetables, herbs, melons, seed~~
17 ~~crops, macadamia nuts, aquaculture, coffee, milk, cattle, eggs,~~
18 ~~hogs, and fruit.~~

19 ~~"Irrigation system" means the agricultural system of~~
20 ~~intakes, diversions, wells, ditches, siphons, pipes, reservoirs,~~
21 ~~and accessory facilities established to provide water for~~
22 ~~agricultural production.~~



1 ~~"Landowner" means a private entity that:~~
2 ~~(1) Owns agricultural land, formerly used as a sugarcane~~
3 ~~or pineapple plantation, that contains a privately~~
4 ~~owned irrigation system that is necessary for the~~
5 ~~sustained production of diversified agriculture on the~~
6 ~~land served by the irrigation system; or~~
7 ~~(2) Owns, or partially owns, an irrigation system listed~~
8 ~~in subsection (b) (1) through (17)."]~~

9 SECTION 30. Section 171-156, Hawaii Revised Statutes, is
10 repealed.

11 ~~["~~§171-156~~ Beach restoration special fund. (a) There~~
12 ~~is established in the state treasury a special fund to be~~
13 ~~designated as the "beach restoration special fund" to carry out~~
14 ~~the purposes of this part. The following moneys shall be~~
15 ~~deposited into the beach restoration special fund:~~

16 ~~(1) Proceeds from the lease or development of public~~
17 ~~coastal lands designated pursuant to a beach~~
18 ~~restoration plan, subject to the Hawaiian Homes~~
19 ~~Commission Act of 1920, as amended, and section 5(f)~~
20 ~~of the Admission Act of 1959;~~

21 ~~(2) Proceeds from the lease of public lands pursuant to~~
22 ~~this part for an existing seawall or revetment;~~



- 1 ~~(3) Fines collected for unauthorized shoreline structures~~
- 2 ~~on state submerged land or conservation district land;~~
- 3 ~~(4) Appropriations made by the legislature for deposit~~
- 4 ~~into this fund;~~
- 5 ~~(5) Donations and contributions made by private~~
- 6 ~~individuals or organizations for deposit into this~~
- 7 ~~fund;~~
- 8 ~~(6) Fees collected for the processing of applications for~~
- 9 ~~coastal and beach erosion control projects; and~~
- 10 ~~(7) Grants provided by governmental agencies or any other~~
- 11 ~~source.~~

12 ~~(b) The beach restoration special fund may be used by the~~
13 ~~department for one or more of the following purposes:~~

- 14 ~~(1) Planning, designing, development, or implementation of~~
- 15 ~~beach restoration projects pursuant to this part; and~~
- 16 ~~(2) Providing grants to the counties, nongovernmental~~
- 17 ~~organizations, and the University of Hawaii for the~~
- 18 ~~restoration of beach lands and for research or~~
- 19 ~~engineering studies necessary to support beach~~
- 20 ~~restoration projects, subject to this part."]~~

21 SECTION 31. Section 174C-5.5, Hawaii Revised Statutes, is
22 repealed.



1 ~~["§174C-5.5] Water resource management fund. (a) There~~
2 ~~is established in the department a special fund to be designated~~
3 ~~as the water resource management fund. The fund shall be~~
4 ~~administered by the commission. The water resource management~~
5 ~~fund shall be used for the following:~~

- 6 ~~(1) Monitoring programs and activities concerning water~~
7 ~~resource quality, protection, and management;~~
- 8 ~~(2) Research programs and activities concerning water~~
9 ~~conservation and investigation of alternative sources~~
10 ~~of water;~~
- 11 ~~(3) Preparation and dissemination of information to the~~
12 ~~public concerning activities authorized under this~~
13 ~~chapter;~~
- 14 ~~(4) Data collection, development, and updating of long-~~
15 ~~range planning documents authorized under this~~
16 ~~chapter; and~~
- 17 ~~(5) Any other protection, management, operational, or~~
18 ~~maintenance functions authorized and deemed necessary~~
19 ~~by the commission, including but not limited to~~
20 ~~funding permanent or temporary staff positions.~~

21 ~~(b) The following shall be deposited into the water~~
22 ~~resource management fund:~~



- 1 ~~(1) Appropriations by the legislature to the water~~
- 2 ~~resource management fund;~~
- 3 ~~(2) All fees and administrative charges collected under~~
- 4 ~~this chapter or any rule adopted thereunder;~~
- 5 ~~(3) Moneys collected as fines or penalties imposed under~~
- 6 ~~this chapter or any rule adopted thereunder;~~
- 7 ~~(4) Moneys derived from public and private sources to~~
- 8 ~~benefit water resource protection and management;~~
- 9 ~~(5) Any moneys collected from the sale of retail items by~~
- 10 ~~the department related to water resources;~~
- 11 ~~(6) Any other moneys collected pursuant to chapter 174C;~~
- 12 ~~and~~
- 13 ~~(7) Moneys derived from interest, dividend, or other~~
- 14 ~~income from the above sources."]~~

15 SECTION 32. Section 179D-25, Hawaii Revised Statutes, is
 16 repealed.

17 ~~["~~§179D-25~~ Establishment of dam and reservoir safety~~

18 ~~special fund. (a) There is established in the department a~~

19 ~~special fund, to be designated the dam and reservoir safety~~

20 ~~special fund. The fund shall be administered by the board. The~~

21 ~~following shall be deposited into the dam and reservoir safety~~

22 ~~special fund:~~



- 1 ~~(1) Appropriations by the legislature;~~
- 2 ~~(2) All fees and administrative charges collected under~~
- 3 ~~this chapter or any rule adopted thereunder;~~
- 4 ~~(3) Moneys collected as fines or penalties imposed under~~
- 5 ~~this chapter or any rule adopted thereunder;~~
- 6 ~~(4) Moneys derived from public or private sources to~~
- 7 ~~benefit dam and reservoir safety;~~
- 8 ~~(5) Moneys collected in full or partial satisfaction of~~
- 9 ~~liens created under this chapter;~~
- 10 ~~(6) Any moneys collected from the sale of retail items by~~
- 11 ~~the department relating to dam and reservoir safety;~~
- 12 ~~(7) Any other moneys collected pursuant to this chapter or~~
- 13 ~~any rules adopted thereunder; and~~
- 14 ~~(8) Moneys derived from interest, dividends, or other~~
- 15 ~~income from other sources.~~
- 16 ~~(b) The board may expend moneys from the dam and reservoir~~
- 17 ~~safety special fund for:~~
- 18 ~~(1) Conducting investigations, research, and the~~
- 19 ~~collection of data, including technological advances~~
- 20 ~~made in dam and reservoir safety practices elsewhere;~~
- 21 ~~(2) Conducting investigations, monitoring, and inspection~~
- 22 ~~programs and activities, and enforcement;~~



- 1 ~~(3) Preparing and disseminating information to the public~~
2 ~~concerning activities authorized under this chapter;~~
- 3 ~~(4) Training and providing educational activities for~~
4 ~~department staff and dam and reservoir owners;~~
- 5 ~~(5) Employing any necessary remedial measures to protect~~
6 ~~persons and property in accordance with this chapter;~~
- 7 ~~(6) The costs and expenses of the coordination,~~
8 ~~assistance, control, regulation, abatement, and~~
9 ~~inspection provided by this chapter; and~~
- 10 ~~(7) Other purposes for the administration of the dam and~~
11 ~~reservoir safety program under this chapter or any~~
12 ~~rule adopted thereunder, including but not limited to~~
13 ~~funding permanent or temporary positions that may be~~
14 ~~appointed without regard to chapter 76.~~

15 ~~The board shall provide coordination and assistance to the~~
16 ~~proper state or county agency or agencies to control any dam,~~
17 ~~reservoir, and appurtenances subject to section 179D-24 until~~
18 ~~they have been rendered safe or the emergency has terminated.~~

19 ~~(c) Moneys on balance in the dam and reservoir safety~~
20 ~~special fund at the close of each fiscal year shall remain in~~
21 ~~that fund and shall not be transferred or lapsed to the credit~~
22 ~~of the general fund."]~~



1 SECTION 33. Section 184-3.4, Hawaii Revised Statutes, is
2 repealed.

3 ~~["§184-3.4 State parks special fund. (a) There is~~
4 ~~established within the state treasury a fund to be known as the~~
5 ~~state parks special fund, into which shall be deposited:~~

6 ~~(1) All proceeds collected by the state parks programs~~
7 ~~involving park user fees, any leases or concession~~
8 ~~agreements, the sale of any article purchased from the~~
9 ~~department to benefit the state parks programs, or any~~
10 ~~gifts or contributions; provided that proceeds derived~~
11 ~~from the operation of Iolani Palace shall be used to~~
12 ~~supplement its educational and interpretive programs;~~
13 ~~and~~

14 ~~(2) Transient accommodations tax revenues pursuant to~~
15 ~~section 237D-6.5; provided that these moneys shall be~~
16 ~~expended in response to a master plan developed in~~
17 ~~coordination with the Hawaii tourism authority.~~

18 ~~(b) The department shall expend the moneys from the state~~
19 ~~parks special fund for the following purposes:~~

20 ~~(1) Permanent and temporary staff positions;~~

21 ~~(2) Planning and development of state parks programs,~~
22 ~~including the aina hoomalua state parks program;~~



1 ~~(3) Construction, repairs, replacement, additions, and~~
2 ~~extensions of state parks facilities;~~
3 ~~(4) Operation and maintenance costs of state parks and~~
4 ~~state parks programs; and~~
5 ~~(5) Administrative costs of the division of state parks.~~
6 ~~(c) There is established within the state parks special~~
7 ~~fund, a Diamond Head State Monument sub account, into which~~
8 ~~shall be deposited fifty five per cent of all proceeds collected~~
9 ~~from the admission fees charged at the Diamond Head State~~
10 ~~Monument. The department shall expend the moneys from the~~
11 ~~Diamond Head State Monument sub account for repair, maintenance,~~
12 ~~and operating costs incurred by the State in the management of~~
13 ~~the Diamond Head State Monument."]~~

14 SECTION 34. Section 187A-9.5, Hawaii Revised Statutes, is
15 repealed.

16 ~~["§187A-9.5 Sport fish special fund. (a) There is~~
17 ~~established in the department a sport fish special fund.~~

18 ~~(b) The following proceeds shall be retained by or~~
19 ~~transmitted to the department for deposit into the sport fish~~
20 ~~special fund:~~

21 ~~(1) Moneys collected as fees for sport fishing licenses~~
22 ~~and permits, attendance of aquatic resources education~~



1 ~~programs, use of public fishing areas or other fishing~~
2 ~~grounds for sport fishing purposes, and use of sport~~
3 ~~fisheries-related facilities;~~

4 ~~(2) Moneys collected under the provision of any law or~~
5 ~~rule relating to the importation, taking, catching, or~~
6 ~~killing of any sport fish;~~

7 ~~(3) Moneys, other than informers' fees authorized under~~
8 ~~section 187A 14, collected as fines or bail~~
9 ~~forfeitures for sport fishing violations of this~~
10 ~~chapter and chapters 188, 189, and 190;~~

11 ~~(4) Moneys collected from the sale of any article~~
12 ~~purchased from the department related to sport fish or~~
13 ~~sport fishing;~~

14 ~~(5) Any monetary contributions or moneys collected from~~
15 ~~the sale of non-monetary gifts to benefit sport fish~~
16 ~~or sport fishing; and~~

17 ~~(6) Moneys derived from interest, dividend, or other~~
18 ~~income from the above sources.~~

19 ~~(c) Expenditures from the sport fish special fund shall be~~
20 ~~limited to the following:~~

21 ~~(1) For programs and activities to implement title 12,~~
22 ~~subtitle 5, including the provision of state funds to~~



1 ~~match federal grants under the Federal Aid in Sport~~
2 ~~Fish Restoration (Dingell Johnson/Wallop Breaux) Act~~
3 ~~(64 Stat. 430, 16 U.S.C. §777), as amended, for~~
4 ~~projects concerning sport fish;~~

5 ~~(2) For acquisition of the use, development, or~~
6 ~~maintenance of trails and accessways into public~~
7 ~~fishing areas, fishery management areas, marine life~~
8 ~~conservation districts, or private lands where public~~
9 ~~sport fishing is authorized; and~~

10 ~~(3) For research programs and activities concerning sport~~
11 ~~fish conservation and management. Research programs~~
12 ~~and activities conducted under this paragraph may be~~
13 ~~conducted by personnel of the department or through~~
14 ~~grants in aid to or contracts with the University of~~
15 ~~Hawaii or other qualified organizations or~~
16 ~~individuals.~~

17 ~~(d) The proceeds of the sport fish special fund shall not~~
18 ~~be used as security for, or pledged to the payment of principal~~
19 ~~or interest on, any bonds or instruments of indebtedness.~~

20 ~~(e) In addition to subsection (c), the department may use~~
21 ~~moneys in the sport fish special fund for the importation into,~~
22 ~~and the management, preservation, propagation, enforcement, and~~



1 ~~protection of sport fishes in, the State; provided that the~~
2 ~~department, prior to authorizing expenditures or expending funds~~
3 ~~from the sport fish special fund, first shall attempt to use~~
4 ~~those funds to maximize the State's participation to secure~~
5 ~~federal funds under the Federal Aid in Sport Fish Restoration~~
6 ~~(Dingell-Johnson/Wallop-Breaux) Act, as amended.~~

7 ~~(f) Nothing in this section shall be construed as~~
8 ~~prohibiting the funding with general funds or other funds of~~
9 ~~programs and activities to implement or enforce title 12,~~
10 ~~subtitle 5, concerning sport fish management and conservation."]~~

11 SECTION 35. Section 189-2.4, Hawaii Revised Statutes, is
12 repealed.

13 [~~"§189-2.4 Commercial fisheries special fund. (a) There~~
14 ~~is established in the treasury of the State a special fund to be~~
15 ~~known as the commercial fisheries special fund which shall be~~
16 ~~administered by the department.~~

17 ~~(b) The following revenues shall be deposited into the~~
18 ~~commercial fisheries special fund:~~

19 ~~(1) Moneys collected as fees for licenses and permits~~
20 ~~related to commercial fishing and the sale of aquatic~~
21 ~~life, use of public fishing grounds for commercial~~



- 1 ~~fishing purposes, and use of commercial fisheries-~~
- 2 ~~related facilities;~~
- 3 ~~(2) Moneys collected under the provision of any law or~~
- 4 ~~rule related to the importation, rearing, fishing,~~
- 5 ~~taking, catching, or killing of any aquatic life for~~
- 6 ~~commercial purposes;~~
- 7 ~~(3) Moneys, other than informers' fees authorized under~~
- 8 ~~section 187A 14, collected as fines or bail~~
- 9 ~~forfeitures or administrative fines for violations of~~
- 10 ~~this chapter;~~
- 11 ~~(4) Moneys collected from the sale of any article~~
- 12 ~~purchased from the department related to aquatic life~~
- 13 ~~used for commercial purposes or fishing for commercial~~
- 14 ~~purposes;~~
- 15 ~~(5) Any monetary contributions or moneys collected from~~
- 16 ~~the sale of nonmonetary gifts to benefit aquatic life~~
- 17 ~~used for commercial purposes or fishing for commercial~~
- 18 ~~purposes; and~~
- 19 ~~(6) Moneys derived from interest, dividend, or other~~
- 20 ~~income from the above sources.~~
- 21 ~~(c) The commercial fisheries special fund shall be used~~
- 22 ~~for the following:~~



- 1 ~~(1) Programs and activities for projects concerning~~
- 2 ~~aquatic life used for commercial purposes;~~
- 3 ~~(2) Developing and conducting resource monitoring~~
- 4 ~~programs, conducting studies to determine the~~
- 5 ~~sustainable use of aquatic life for commercial~~
- 6 ~~purposes, and developing recommendations for~~
- 7 ~~acceptable levels of use;~~
- 8 ~~(3) Research programs and activities concerning the~~
- 9 ~~conservation and management of aquatic life for~~
- 10 ~~commercial purposes;~~
- 11 ~~(4) Programs and activities concerning the importation and~~
- 12 ~~management, preservation, propagation, enforcement,~~
- 13 ~~and protection of aquatic life used for commercial~~
- 14 ~~purposes; and~~
- 15 ~~(5) Payroll for personnel of the department or the~~
- 16 ~~awarding of grants in aid to or contracts with the~~
- 17 ~~University of Hawaii or other qualified organizations~~
- 18 ~~or individuals to develop or implement the programs~~
- 19 ~~and activities for the conservation and management of~~
- 20 ~~aquatic life for commercial purposes.~~
- 21 ~~(d) The proceeds of the commercial fisheries special fund~~
- 22 ~~shall not be used as security for, or pledged to the payment of~~



1 ~~principal or interest on, any bonds or instruments of~~
2 ~~indebtedness.~~

3 ~~(e) Nothing in this section shall be construed to prohibit~~
4 ~~the use of general funds or the funds of other programs and~~
5 ~~activities to implement or enforce title 12, subtitle 5,~~
6 ~~concerning management and conservation of aquatic life used for~~
7 ~~commercial purposes."]~~

8 SECTION 36. Section 195-9, Hawaii Revised Statutes, is
9 repealed.

10 [~~§195-9 Natural area reserve fund; heritage program;~~
11 ~~established.~~ (a) ~~There is hereby established in the state~~
12 ~~treasury a special fund known as the natural area reserve fund~~
13 ~~to implement the purposes of this chapter, including the~~
14 ~~identification, establishment, and management of natural area~~
15 ~~reserves, the acquisition of private lands for new natural area~~
16 ~~reserves, the operation of the heritage program, and the~~
17 ~~provision of matching funds for the natural area partnership~~
18 ~~program. The fund shall be administered by the department.~~

19 ~~(b) The fund shall consist of moneys received from any~~
20 ~~public or private sources. The fund shall be held separate and~~
21 ~~apart from all other moneys, funds, and accounts in the state~~
22 ~~treasury, except that any moneys received from the federal~~



1 ~~government or from private contributions shall be deposited and~~
2 ~~accounted for in accordance with conditions established by the~~
3 ~~agencies or persons from whom the moneys are received.~~
4 ~~Investment earnings credited to the assets of the fund shall~~
5 ~~become a part of the assets of the fund. Any balance remaining~~
6 ~~in the fund at the end of any fiscal year shall be carried~~
7 ~~forward in the fund for the next fiscal year."]~~

8 SECTION 37. Section 195F-4, Hawaii Revised Statutes, is
9 repealed.

10 [~~§195F-4 Forest stewardship fund. (a) There is~~
11 ~~established a special fund within the state treasury known as~~
12 ~~the forest stewardship fund which shall be used as follows:~~

13 ~~(1) Payments shall be made by the board pursuant to~~
14 ~~agreements entered into with qualified landowners to~~
15 ~~further the purposes of this chapter;~~

16 ~~(2) Moneys collected from:~~

17 ~~(A) The harvest of non native forest products from~~
18 ~~forest reserves;~~

19 ~~(B) The harvest of native forest products from~~
20 ~~degraded forests as defined in section 186-5.5,~~
21 ~~within forest reserves;~~



- 1 ~~(C) The sale of forest products found dead and lying~~
- 2 ~~on the ground;~~
- 3 ~~(D) The sale of tree seedlings from state nurseries;~~
- 4 ~~(E) The sale of any other products or services, or~~
- 5 ~~anything of value derived from forest reserves~~
- 6 ~~not described above; or~~
- 7 ~~(F) The imposition of fines or penalties for~~
- 8 ~~violations of this chapter and chapters 183 and~~
- 9 ~~185 or any rule adopted thereunder;~~
- 10 ~~shall be used for: (i) replanting, managing, and~~
- 11 ~~maintaining designated timber management areas; (ii)~~
- 12 ~~enhancing the management of public forest reserves~~
- 13 ~~with an emphasis on restoring degraded kea forests;~~
- 14 ~~and (iii) developing environmental education and~~
- 15 ~~training programs pertaining to sustainable forestry;~~
- 16 ~~provided that the activities described in clauses (ii)~~
- 17 ~~and (iii) may not be funded unless the activities~~
- 18 ~~described in approved management plans pertaining to~~
- 19 ~~clause (i) are adequately funded; and~~
- 20 ~~(3) Moneys deposited into the fund as authorized by~~
- 21 ~~section 247-7 may also be used by the department to~~



1 ~~administer the program and manage the forest reserve~~
2 ~~system.~~

3 ~~(b) The fund shall consist of moneys received from any~~
4 ~~public or private sources. The fund shall be held separate and~~
5 ~~apart from all other moneys, funds, and accounts in the state~~
6 ~~treasury; provided that any moneys received from the federal~~
7 ~~government or from private contributions shall be deposited and~~
8 ~~accounted for in accordance with conditions established by the~~
9 ~~agencies or persons from whom the moneys are received.~~

10 ~~Investment earnings credited to the fund shall become a~~
11 ~~part of the assets of the fund. Any balance remaining in the~~
12 ~~fund at the end of any fiscal year shall be carried forward in~~
13 ~~the fund for the next fiscal year."]~~

14 SECTION 38. Section 201-12.8, Hawaii Revised Statutes, is
15 repealed.

16 ~~["§201-12.8 Energy security special fund; uses. (a)~~

17 ~~There is created within the state treasury an energy security~~
18 ~~special fund, which shall consist of:~~

- 19 ~~(1) The portion of the environmental response, energy, and~~
20 ~~food security tax specified under section 243-3.5;~~
21 ~~(2) Moneys appropriated to the fund by the legislature;~~



- 1 ~~(3) All interest attributable to investment of money~~
2 ~~deposited in the fund, and~~
- 3 ~~(4) Moneys allotted to the fund from other sources,~~
4 ~~including under section 196-6.5.~~
- 5 ~~(b) Subject to legislative appropriation, moneys from the~~
6 ~~fund may be expended by the department of business, economic~~
7 ~~development, and tourism for the following purposes and used for~~
8 ~~no other purposes, except for those set forth in this section:~~
- 9 ~~(1) To support the Hawaii clean energy initiative program,~~
10 ~~including its energy division, including funding staff~~
11 ~~positions within the division, and projects that~~
12 ~~ensure dependable, efficient, and economical energy,~~
13 ~~promote energy self-sufficiency, and provide greater~~
14 ~~energy security for the State;~~
- 15 ~~(2) To fund the renewable energy facilitator pursuant to~~
16 ~~section 201-12.5 and any other positions necessary for~~
17 ~~the purposes of paragraph (1) as determined by the~~
18 ~~legislature; and~~
- 19 ~~(3) To fund, to the extent possible, the greenhouse gas~~
20 ~~emissions reduction task force, climate change task~~
21 ~~force, grants in aid to the economic development~~
22 ~~boards of each county, and grants in aid to economic~~



1 ~~development agencies of each county to meet the stated~~
2 ~~objectives of the Hawaii clean energy initiative~~
3 ~~program.~~

4 ~~(c) The department of business, economic development, and~~
5 ~~tourism shall submit a report to the legislature, no later than~~
6 ~~twenty days prior to the convening of each regular session, on~~
7 ~~the status and progress of existing programs and activities and~~
8 ~~the status of new programs and activities funded by the energy~~
9 ~~security special fund. The report shall also include:~~

10 ~~(1) The spending plan of the energy security special fund;~~

11 ~~(2) All expenditures of energy security special fund~~
12 ~~moneys; and~~

13 ~~(3) The targeted markets of the expenditures, including~~
14 ~~the reason for selecting those markets; the persons to~~
15 ~~be served; and the specific objectives of the~~
16 ~~expenditures, including measurable outcomes."]~~

17 SECTION 39. Section 201-113, Hawaii Revised Statutes, is
18 repealed.

19 ~~["§201-113] Hawaii television and film development~~
20 ~~special fund. (a) There is established in the state treasury~~
21 ~~the Hawaii television and film development special fund into~~
22 ~~which shall be deposited:~~



- 1 ~~(1) Appropriations by the legislature;~~
- 2 ~~(2) Donations and contributions made by private~~
- 3 ~~individuals or organizations for deposit into the~~
- 4 ~~fund;~~
- 5 ~~(3) Grants provided by governmental agencies or any other~~
- 6 ~~source; and~~
- 7 ~~(4) Any profits or other amounts received from venture~~
- 8 ~~capital investments.~~
- 9 ~~(b) The fund shall be used by the board to assist in, and~~
- 10 ~~provide incentives for, the production of eligible Hawaii~~
- 11 ~~projects that are in compliance with criteria and standards~~
- 12 ~~established by the board in accordance with rules adopted by the~~
- 13 ~~board pursuant to chapter 91. In particular, the board shall~~
- 14 ~~adopt rules to provide for the implementation of the following~~
- 15 ~~programs:~~
- 16 ~~(1) A grant program. The board shall adopt rules pursuant~~
- 17 ~~to chapter 91 to provide conditions and qualifications~~
- 18 ~~for grants. Applications for grants shall be made to~~
- 19 ~~the board and shall contain such information as the~~
- 20 ~~board shall require by rules adopted pursuant to~~
- 21 ~~chapter 91. At a minimum, the applicant shall agree~~
- 22 ~~to the following conditions:~~



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- 1 ~~(A) The grant shall be used exclusively for eligible~~
2 ~~Hawaii projects;~~
- 3 ~~(B) The applicant shall have applied for or received~~
4 ~~all applicable licenses and permits;~~
- 5 ~~(C) The applicant shall comply with applicable~~
6 ~~federal and state laws prohibiting discrimination~~
7 ~~against any person on the basis of race, color,~~
8 ~~national origin, religion, creed, sex, age, or~~
9 ~~physical handicap;~~
- 10 ~~(D) The applicant shall comply with other~~
11 ~~requirements as the board may prescribe;~~
- 12 ~~(E) All activities undertaken with funds received~~
13 ~~shall comply with all applicable federal, state,~~
14 ~~and county statutes and ordinances;~~
- 15 ~~(F) The applicant shall indemnify and save harmless~~
16 ~~the State of Hawaii and its officers, agents, and~~
17 ~~employees from and against any and all claims~~
18 ~~arising out of or resulting from activities~~
19 ~~carried out or projects undertaken with funds~~
20 ~~provided hereunder, and procure sufficient~~
21 ~~insurance to provide this indemnification if~~
22 ~~requested to do so by the department;~~



1 ~~(G) The applicant shall make available to the board~~
2 ~~all records the applicant may have relating to~~
3 ~~the project, to allow the board to monitor the~~
4 ~~applicant's compliance with the purpose of this~~
5 ~~chapter, and~~
6 ~~(H) The applicant, to the satisfaction of the board,~~
7 ~~shall establish that sufficient funds are~~
8 ~~available for the completion of the project for~~
9 ~~the purpose for which the grant is awarded, and~~
10 ~~(2) A venture capital program. The board shall adopt~~
11 ~~rules pursuant to chapter 91 to provide conditions and~~
12 ~~qualifications for venture capital investments in~~
13 ~~eligible Hawaii projects. The program may include a~~
14 ~~written agreement between the borrower and the board,~~
15 ~~as the representative of the State, that as~~
16 ~~consideration for the venture capital investment made~~
17 ~~under this part, the borrower shall share any~~
18 ~~royalties, licenses, titles, rights, or any other~~
19 ~~monetary benefits that may accrue to the borrower~~
20 ~~pursuant to terms and conditions established by the~~
21 ~~board by rule pursuant to chapter 91. Venture capital~~
22 ~~investments may be made on such terms and conditions~~



1 ~~as the board shall determine to be reasonable,~~
2 ~~appropriate, and consistent with the purposes and~~
3 ~~objectives of this part."]~~

4 SECTION 40. Section 201B-8, Hawaii Revised Statutes, is
5 repealed.

6 ~~["§201B-8 Convention center enterprise special fund. (a)~~

7 ~~There is established the convention center enterprise special~~
8 ~~fund, into which shall be deposited:~~

9 ~~(1) A portion of the revenues from the transient~~
10 ~~accommodations tax, as provided by section 237D-6.5;~~

11 ~~(2) All revenues or moneys derived from the operations of~~
12 ~~the convention center to include all revenues from the~~
13 ~~food and beverage service, all revenues from the~~
14 ~~parking facilities or from any concession, and all~~
15 ~~revenues from the sale of souvenirs, logo items, or~~
16 ~~any other items offered for purchase at the convention~~
17 ~~center;~~

18 ~~(3) Private contributions, interest, compensation, gross~~
19 ~~or net revenues, proceeds, or other moneys derived~~
20 ~~from any source or for any purpose arising from the~~
21 ~~use of the convention center facility; and~~



1 ~~(4) Appropriations by the legislature, including any~~
2 ~~transfers from the tourism special fund established~~
3 ~~under section 201B-11 for marketing the facility~~
4 ~~pursuant to section 201B-7(a)(7).~~

5 ~~(b) Moneys in the convention center enterprise special~~
6 ~~fund shall be used by the authority for the payment of any and~~
7 ~~all debt service relating to the convention center, any expense~~
8 ~~arising from any and all use, operation, maintenance,~~
9 ~~alteration, improvement, or any unforeseen or unplanned repairs~~
10 ~~of the convention center, including without limitation the food~~
11 ~~and beverage service and parking service provided at the~~
12 ~~convention center facility, the sale of souvenirs, logo items,~~
13 ~~or other items, for any future major repair, maintenance, and~~
14 ~~improvement of the convention center facility as a commercial~~
15 ~~enterprise or as a world class facility for conventions,~~
16 ~~entertainment, or public events, and for marketing the facility~~
17 ~~pursuant to section 201B-7(a)(7).~~

18 ~~(c) Moneys in the convention center enterprise special~~
19 ~~fund may be:~~

20 ~~(1) Placed in interest bearing accounts, provided that the~~
21 ~~depository in which the money is deposited furnishes~~
22 ~~security as provided in section 38-3; or~~



1 ~~(2) Otherwise invested by the authority until such time as~~
2 ~~the moneys may be needed; provided that the authority~~
3 ~~shall limit its investments to those listed in section~~
4 ~~36-21.~~

5 ~~All interest accruing from investment of the moneys shall be~~
6 ~~credited to the convention center enterprise special fund."]~~

7 SECTION 41. Section 201B-11, Hawaii Revised Statutes, is
8 repealed.

9 ~~["§201B-11 Tourism special fund. (a) There is~~
10 ~~established the tourism special fund, into which shall be~~
11 ~~deposited:~~

12 ~~(1) A portion of the revenues from any transient~~
13 ~~accommodations tax, as provided by section 237D-6.5;~~

14 ~~(2) Appropriations by the legislature to the tourism~~
15 ~~special fund;~~

16 ~~(3) Gifts, grants, and other funds accepted by the~~
17 ~~authority; and~~

18 ~~(4) All interest and revenues or receipts derived by the~~
19 ~~authority from any project or project agreements.~~

20 ~~(b) Moneys in the tourism special fund may be:~~



1 ~~(1) Placed in interest bearing accounts; provided that the~~
2 ~~depository in which the money is deposited furnishes~~
3 ~~security as provided in section 38-3; or~~

4 ~~(2) Otherwise invested by the authority until such time as~~
5 ~~the moneys may be needed; provided that the authority~~
6 ~~shall limit its investments to those listed in section~~
7 ~~36-21.~~

8 ~~All interest accruing from the investment of these moneys shall~~
9 ~~be credited to the tourism special fund.~~

10 ~~(c) Moneys in the tourism special fund shall be used by~~
11 ~~the authority for the purposes of this chapter; provided that:~~

12 ~~(1) Not more than five per cent of this amount shall be~~
13 ~~used for administrative expenses, including \$15,000~~
14 ~~for a protocol fund to be expended at the discretion~~
15 ~~of the president and chief executive officer; and~~

16 ~~(2) At least \$1,000,000 shall be made available to support~~
17 ~~efforts to manage, improve, and protect Hawaii's~~
18 ~~natural environment and areas frequented by~~
19 ~~visitors."]~~

20 SECTION 42. Section 201N-11, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§201N-11] Renewable energy facility siting special~~
2 ~~fund, uses. (a) There is created within the state treasury a~~
3 ~~renewable energy facility siting special fund, which shall~~
4 ~~consist of:~~

- 5 ~~(1) Moneys appropriated to the fund by the legislature;~~
- 6 ~~(2) Permit plan application fees collected by the~~
7 ~~coordinator under this chapter; and~~
- 8 ~~(3) Moneys allotted to the fund from other sources.~~

9 ~~(b) Moneys from the fund shall be expended by the energy~~
10 ~~resources coordinator for the purposes of section 201N-4(a) and~~
11 ~~for the operation and administration of the renewable energy~~
12 ~~facility siting process pursuant to this chapter."]~~

13 SECTION 43. Section 206E-157, Hawaii Revised Statutes, is
14 repealed.

15 ~~["§206E-157 Revenue bonds; special funds. (a) A separate~~
16 ~~special fund shall be established for each public facility~~
17 ~~financed from the proceeds of the revenue bonds secured under~~
18 ~~the same trust indenture. Each fund shall be designated "public~~
19 ~~facility revenue bond special fund" and shall bear additional~~
20 ~~designation as the authority deems appropriate to properly~~
21 ~~identify the fund.~~



1 ~~(b) Notwithstanding any other law to the contrary,~~
2 ~~including particularly section 206E-16, all revenues, income,~~
3 ~~and receipts derived from the public facility for which the~~
4 ~~revenue bonds are issued shall be paid into the public facility~~
5 ~~revenue bond fund established for that public facility and~~
6 ~~applied as provided in the proceedings authorizing the issuance~~
7 ~~of the revenue bonds."]~~

8 SECTION 44. Section 206E-186, Hawaii Revised Statutes, is
9 repealed.

10 ~~["~~§206E-186~~ Special facility revenue bonds; special~~
11 ~~funds. (a) A separate special fund shall be established for~~
12 ~~each special facility financed from the proceeds of the revenue~~
13 ~~bonds secured under the same trust indenture. Each fund shall~~
14 ~~be designated "special facility revenue bond special fund" and~~
15 ~~shall bear additional designation as the authority deems~~
16 ~~appropriate to properly identify the fund.~~

17 ~~(b) Notwithstanding any other law to the contrary,~~
18 ~~including particularly section 206E-16, all revenues, income,~~
19 ~~and receipts derived from the special facility for which the~~
20 ~~revenue bonds are issued shall be paid into the special facility~~
21 ~~revenue bond fund established for that special facility and~~



1 ~~applied as provided in the proceedings authorizing the issuance~~
2 ~~of the revenue bonds."]~~

3 SECTION 45. Section 206M-15.5, Hawaii Revised Statutes, is
4 repealed.

5 [~~"§206M-15.5 High technology special fund. There is~~
6 ~~established in the state treasury a fund to be known as the high~~
7 ~~technology special fund, into which shall be deposited, except~~
8 ~~as otherwise provided by section 206M-17, all moneys, fees, and~~
9 ~~equity from tenants, qualified persons, or other users of the~~
10 ~~development corporation's industrial parks, projects, other~~
11 ~~leased facilities, and other services and publications; provided~~
12 ~~that the total amount of moneys in the fund shall not exceed~~
13 ~~\$3,000,000 at the end of any fiscal year. All moneys in the~~
14 ~~fund are appropriated for the purposes of and shall be expended~~
15 ~~by the development corporation for the operation, maintenance,~~
16 ~~and management of its industrial parks, projects, facilities,~~
17 ~~services, and publications, and to pay the expenses in~~
18 ~~administering the special purpose revenue bonds of the~~
19 ~~development corporation or in carrying out its project~~
20 ~~agreements."]~~

21 SECTION 46. Section 211F-5.7, Hawaii Revised Statutes, is
22 repealed.



1 ~~["§211F-5.7] Hydrogen investment capital special fund.~~

2 ~~(a) There shall be established the hydrogen investment capital~~
3 ~~special fund, into which shall be deposited:~~

4 ~~(1) Appropriations made by the legislature to the fund;~~

5 ~~(2) All contributions from public or private partners;~~

6 ~~(3) All interest earned on or accrued to moneys deposited~~
7 ~~in the special fund; and~~

8 ~~(4) Any other moneys made available to the special fund~~
9 ~~from other sources.~~

10 ~~(b) Moneys in the fund shall be used to:~~

11 ~~(1) Provide seed capital for and venture capital~~
12 ~~investments in private sector and federal projects for~~
13 ~~research, development, testing, and implementation of~~
14 ~~the Hawaii renewable hydrogen program, as set forth in~~
15 ~~section 196-10; and~~

16 ~~(2) For any other purpose deemed necessary to carry out~~
17 ~~the purposes of section 196-10."]~~

18 SECTION 47. Section 212-9, Hawaii Revised Statutes, is
19 repealed.

20 ~~["§212-9 Special fund. There is established in the state~~
21 ~~treasury a fund to be known as the foreign trade zones special~~
22 ~~fund. All fees or other moneys collected under this chapter~~



1 ~~shall be deposited in this fund. All moneys in the fund are~~
2 ~~hereby appropriated for the purposes of and shall be expended by~~
3 ~~the public corporation for the operation, capital improvement,~~
4 ~~and maintenance of the zone."]~~

5 SECTION 48. Section 219-4, Hawaii Revised Statutes, is
6 repealed.

7 [~~§219-4 Funds; application of payments. (a) There is~~
8 ~~established a special fund to be known as the aquaculture loan~~
9 ~~revolving fund from which moneys shall be loaned by the~~
10 ~~department of agriculture under this chapter. The department,~~
11 ~~by its board of agriculture, may transfer moneys from the~~
12 ~~aquaculture loan revolving fund to the agricultural loan~~
13 ~~revolving fund, from which moneys shall be disbursed by the~~
14 ~~department pursuant to chapter 155, and may transfer moneys from~~
15 ~~that revolving fund to the aquaculture loan revolving fund for~~
16 ~~disbursement pursuant to this chapter, provided that:~~

17 (1) ~~The amount of moneys transferred shall not exceed~~
18 ~~\$1,000,000 for each revolving fund within the calendar~~
19 ~~year; and~~

20 (2) ~~Twenty days prior to the convening of each regular~~
21 ~~session of the legislature, the department shall~~
22 ~~report to the legislature all transfers that were made~~



1 ~~between the aquaculture loan revolving fund and the~~
2 ~~agricultural loan revolving fund during the preceding~~
3 ~~calendar year and the balance of each revolving fund~~
4 ~~as of December 31 of each year.~~

5 ~~(b) All interests and fees collected by the department~~
6 ~~shall be deposited in a loan reserve fund to the extent needed~~
7 ~~to carry on the operations of this program; any moneys surplus~~
8 ~~to these needs shall be transferred to the aquaculture loan~~
9 ~~revolving fund at the discretion of the department. All~~
10 ~~payments received on account of principal shall be credited to~~
11 ~~the loan revolving fund."]~~

12 SECTION 49. Section 225M-7, Hawaii Revised Statutes, is
13 repealed.

14 ~~"[§225M-7] Statewide geospatial information and data~~
15 ~~integration special fund. (a) There is established in the~~
16 ~~state treasury the statewide geospatial information and data~~
17 ~~integration special fund, into which shall be deposited:~~

18 ~~(1) Moneys directed, allocated, or disbursed to the~~
19 ~~statewide geospatial information and data integration~~
20 ~~program from other government agencies or private~~
21 ~~sources to help support the acquisition of hardware,~~
22 ~~software, applications, and databases;~~



- 1 ~~(2) Moneys directed, allocated, or disbursed to the~~
- 2 ~~statewide geospatial technologies program from non-~~
- 3 ~~state sources, including but not limited to grants,~~
- 4 ~~awards, and donations;~~
- 5 ~~(3) Moneys collected as fees for statewide planning and~~
- 6 ~~geographic information system services rendered; and~~
- 7 ~~(4) Investment earnings credited to the assets of the fund~~
- 8 ~~and all interest on special fund balances.~~

9 ~~(b) The statewide geospatial information and data~~
10 ~~integration special fund shall be used to help defray the cost~~
11 ~~of, including but not limited to the following:~~

- 12 ~~(1) Programs and activities to implement this chapter,~~
- 13 ~~including the provision of state funds to match~~
- 14 ~~federal funds from the United States Geological Survey~~
- 15 ~~or other federal departments; and~~
- 16 ~~(2) Operating costs of the statewide planning and~~
- 17 ~~geographic information system, including acquisition~~
- 18 ~~and maintenance of hardware or software necessary to~~
- 19 ~~implement this chapter, acquisition and maintenance of~~
- 20 ~~geospatial and other data, application development,~~
- 21 ~~training, and other products or services of general~~



1 ~~benefit to the statewide geospatial information and~~
2 ~~data integration program and its stakeholders."]~~

3 SECTION 50. Section 227D-5, Hawaii Revised Statutes, is
4 repealed.

5 [~~"§227D-5 Special fund. There is established in the state~~
6 ~~treasury a fund to be known as the natural energy laboratory of~~
7 ~~Hawaii authority special fund, into which shall be deposited all~~
8 ~~moneys and fees from tenants or other users of the authority's~~
9 ~~parks, projects, other leased facilities, and other services and~~
10 ~~publications as well as any grants or gifts received by the~~
11 ~~authority. All moneys in the fund are appropriated for the~~
12 ~~purposes of and shall be expended by the authority for the~~
13 ~~operation, maintenance, and management of its parks, projects,~~
14 ~~facilities, services, and publications, and for the design and~~
15 ~~construction of new facilities and the renovation of or addition~~
16 ~~to existing facilities."]~~

17 SECTION 51. Section 235-20.5, Hawaii Revised Statutes, is
18 repealed.

19 [~~"§235-20.5 Tax administration special fund; established.~~

20 ~~(a) There is established a tax administration special fund,~~
21 ~~into which shall be deposited.~~



1 ~~(1) Fees collected under sections 235-20, 235-110.9, and~~
2 ~~235-110.91;~~

3 ~~[(2)] Revenues collected by the special enforcement section~~
4 ~~pursuant to section 231-85, provided that in each~~
5 ~~fiscal year, of the total revenues collected by the~~
6 ~~special enforcement section, all revenues in excess of~~
7 ~~\$500,000 shall be deposited into the general fund.~~

8 ~~(b) The moneys in the fund shall be used for the following~~
9 ~~purposes:~~

10 ~~(1) Issuing comfort letters, letter rulings, written~~
11 ~~opinions, and other guidance to taxpayers;~~

12 ~~(2) Issuing certificates under sections 235-110.9 and 235-~~
13 ~~110.91; and~~

14 ~~(3) Administering the operations of the special~~
15 ~~enforcement section."]~~

16 SECTION 52. Section 245-41.5, Hawaii Revised Statutes, is
17 repealed.

18 ~~["§245-41.5] Cigarette tax stamp administrative special~~
19 ~~fund. (a) There is established in the state treasury the~~
20 ~~cigarette tax stamp administrative special fund, into which~~
21 ~~shall be deposited the allocated portion of the stamp fee~~



1 ~~designated to pay for the cost to the State of providing the~~
2 ~~stamps as provided by section 245-26.~~

3 ~~(b) Moneys in the cigarette tax stamp administrative~~
4 ~~special fund shall be administered by the department of taxation~~
5 ~~and shall be used:~~

6 ~~(1) To provide the stamps and administer the cigarette tax~~
7 ~~stamp provisions as provided in chapter 245; and~~

8 ~~(2) For any other requirements deemed necessary to carry~~
9 ~~out the purposes of chapter 245."]~~

10 SECTION 53. Section 269-33, Hawaii Revised Statutes, is
11 repealed.

12 ~~["§269-33 Public utilities commission special fund. (a)~~
13 ~~There is established in the state treasury a public utilities~~
14 ~~commission special fund to be administered by the public~~
15 ~~utilities commission. The proceeds of the fund shall be used by~~
16 ~~the public utilities commission and the division of consumer~~
17 ~~advocacy of the department of commerce and consumer affairs for~~
18 ~~all expenses incurred in the administration of chapters 269,~~
19 ~~271, 271G, 269E, and 486J; provided that the expenditures of the~~
20 ~~public utilities commission shall be in accordance with~~
21 ~~legislative appropriations. On a quarterly basis, an amount not~~
22 ~~exceeding thirty per cent of the proceeds remaining in the fund~~



1 ~~after the deduction for central service expenses, pursuant to~~
2 ~~section 36-27, shall be allocated by the public utilities~~
3 ~~commission to the division of consumer advocacy and deposited in~~
4 ~~the compliance resolution fund established pursuant to section~~
5 ~~26-9(o); provided that all moneys allocated by the public~~
6 ~~utilities commission from the fund to the division of consumer~~
7 ~~advocacy shall be in accordance with legislative appropriations.~~

8 ~~(b) All moneys appropriated to, received, and collected by~~
9 ~~the public utilities commission that are not otherwise pledged,~~
10 ~~obligated, or required by law to be placed in any other special~~
11 ~~fund or expended for any other purpose shall be deposited into~~
12 ~~the public utilities commission special fund including, but not~~
13 ~~limited to, all moneys received and collected by the public~~
14 ~~utilities commission pursuant to sections 92-21, 269-28, 269-30,~~
15 ~~271-27, 271-36, 271G-19, 269E-6, 269E-14, and 607-5.~~

16 ~~(c) The public utilities commission shall submit a report~~
17 ~~to the legislature detailing all funds received and all moneys~~
18 ~~disbursed out of the fund prior to the convening of each regular~~
19 ~~session.~~

20 ~~(d) All moneys in excess of \$1,000,000 remaining on~~
21 ~~balance in the public utilities commission special fund on~~



1 ~~June 30 of each year shall lapse to the credit of the state~~
2 ~~general fund."]~~

3 SECTION 54. Section 286G-2, Hawaii Revised Statutes, is
4 repealed.

5 [~~"§286G-2 Driver education and training fund. There is~~
6 ~~established in the state treasury a special fund to be known as~~
7 ~~the driver education and training fund. All driver education~~
8 ~~assessments collected pursuant to this chapter shall be~~
9 ~~deposited in the driver education and training fund to be~~
10 ~~expended by the administrative director of the courts for driver~~
11 ~~education and training programs administered by the judiciary,~~
12 ~~subject to part III of chapter 37 to the extent that the same~~
13 ~~applies to appropriations for the judiciary."]~~

14 SECTION 55. Section 302A-707, Hawaii Revised Statutes, is
15 repealed.

16 [~~"[§302A-707] Felix stipend program special fund. (a)~~
17 ~~There is established the Felix stipend program special fund,~~
18 ~~into which shall be deposited all moneys received as repayment~~
19 ~~from students due to a breach in contractual agreements under~~
20 ~~the Felix stipend program, which offers tuition waivers for~~
21 ~~qualified candidates who enroll at the University of Hawaii in~~
22 ~~special education teacher programs at the undergraduate, post-~~



1 ~~baccalaureate, and graduate levels in exchange for their~~
2 ~~agreement to work for the department for a period of three to~~
3 ~~five years immediately following completion of their teacher~~
4 ~~preparation program.~~

5 ~~(b) The special fund shall be administered and used by the~~
6 ~~department to provide ongoing funding for the provision of~~
7 ~~tuition assistance to students for the Felix consent decree~~
8 ~~recruitment and retention program, or any successor programs,~~
9 ~~and related costs."]~~

10 SECTION 56. Section 302A-806, Hawaii Revised Statutes, is
11 repealed.

12 ~~["§302A-806 Hawaii teacher standards board special fund.~~
13 ~~There is established within the state treasury a special fund to~~
14 ~~be known as the Hawaii teacher standards board special fund,~~
15 ~~into which shall be deposited all moneys received by the board~~
16 ~~in the form of appropriations, fees, fines, grants, donations,~~
17 ~~or revenues regardless of their source. The special fund shall~~
18 ~~be administered by the department and used to pay the expenses~~
19 ~~of the board, including but not limited to the payment of all~~
20 ~~operational and personnel costs, and reimbursements to board~~
21 ~~members for travel expenses incurred."]~~



1 SECTION 57. Section 302A-1504.5, Hawaii Revised Statutes,
2 is repealed.

3 [~~§302A-1504.5 School-level minor repairs and maintenance~~
4 ~~special fund; reporting of carry over funds.~~ (a) ~~There is~~
5 ~~established within the state treasury a special fund to be known~~
6 ~~as the school-level minor repairs and maintenance special fund,~~
7 ~~into which shall be deposited all moneys collected pursuant to~~
8 ~~section 235-102.5(b), and any other moneys received by the~~
9 ~~department in the form of grants and donations for school-level~~
10 ~~minor repairs and maintenance. The special fund shall be~~
11 ~~administered by the department and used to fund school-level~~
12 ~~minor repairs and maintenance.~~

13 ~~(b) The department shall submit to the director of finance~~
14 ~~a report that shall be prepared in the form prescribed by the~~
15 ~~director of finance and shall identify the total amount of funds~~
16 ~~in the school-level minor repairs and maintenance special fund~~
17 ~~that will carry over to the next fiscal year. The department~~
18 ~~shall submit the report to the director of finance within ninety~~
19 ~~days of the close of each fiscal year and a copy of the report~~
20 ~~to the legislature no later than twenty days prior to the~~
21 ~~convening of each regular session."]~~



1 SECTION 58. Section 304A-704, Hawaii Revised Statutes, is
2 repealed.

3 [~~"§304A-704 Rules governing Hawaii educator loan program~~
4 ~~special fund. The university may adopt rules to implement the~~
5 ~~Hawaii educator loan program. The rules shall be adopted~~
6 ~~pursuant to chapter 91 but shall be exempt from the public~~
7 ~~notice and public hearing requirements."~~]

8 SECTION 59. Section 304A-2151, Hawaii Revised Statutes, is
9 repealed.

10 [~~"§304A-2151 University of Hawaii risk management~~
11 ~~special fund. (a) There is established the University of~~
12 ~~Hawaii risk management special fund. The following may be~~
13 ~~deposited into the special fund:~~

- 14 ~~(1) Appropriations by the legislature;~~
15 ~~(2) Assessments for risk management costs as applicable~~
16 ~~against any funds of the university;~~
17 ~~(3) Moneys received from the settlement of claims or~~
18 ~~losses of the university that are not contractually or~~
19 ~~otherwise obligated for other purposes; and~~
20 ~~(4) Moneys received pursuant to an insurance policy.~~



1 ~~(b) Notwithstanding any other law to the contrary, the~~
2 ~~university may transfer funds at its disposal into the special~~
3 ~~fund to be expended for the purposes provided herein.~~

4 ~~(c) Revenues deposited into the special fund may be~~
5 ~~expended by the university for costs and expenses associated~~
6 ~~with the administration and operation of the risk management~~
7 ~~program, including but not limited to insurance premiums,~~
8 ~~retention payments, claims administration and operation,~~
9 ~~settlements, payment of judgments, other obligations, and legal~~
10 ~~fees and costs.~~

11 ~~(d) The board of regents shall develop internal policies~~
12 ~~and procedures for the management of risk at the university that~~
13 ~~are consistent with the goals of public accountability. "]~~

14 SECTION 60. Section 304A-2152, Hawaii Revised Statutes, is
15 repealed.

16 ~~["~~§304A-2152~~ University of Hawaii at Manoa malpractice~~
17 ~~special fund. (a) There is established the University of~~
18 ~~Hawaii at Manoa malpractice special fund, which shall be used~~
19 ~~for costs arising from the defense and settlement of claims~~
20 ~~against the university, its students, or its faculty for~~
21 ~~professional malpractice in programs that provide professional~~
22 ~~services, including but not limited to clinical medicine,~~



1 ~~nursing, and law; provided that this fund shall not be used to~~
2 ~~fund settlements funded through professional liability insurance~~
3 ~~or through special appropriations of the legislature.~~

4 ~~(b) The university may establish appropriate charges and~~
5 ~~fees to individuals who are provided professional liability~~
6 ~~coverage under this section, the proceeds of which shall be~~
7 ~~deposited in accounts and credited to the University of Hawaii~~
8 ~~at Manoa malpractice special fund."]~~

9 SECTION 61. Section 304A-2153, Hawaii Revised Statutes, is
10 repealed.

11 ~~["§304A-2153 University of Hawaii tuition and fees~~
12 ~~special fund. (a) There is established the University of~~
13 ~~Hawaii tuition and fees special fund into which shall be~~
14 ~~deposited all revenue collected by the university for regular,~~
15 ~~summer, and continuing education credit tuition, tuition related~~
16 ~~course and fee charges, and any other charges to students,~~
17 ~~except as provided by law. Moneys deposited into the fund shall~~
18 ~~be expended to maintain or improve the university's programs and~~
19 ~~operations and shall not be:~~

20 ~~(1) Used as a justification for reducing any budget~~
21 ~~request or allotment to the university unless the~~
22 ~~university requests such a reduction;~~



1 ~~(2) Transferred unless otherwise authorized by the~~
2 ~~legislature; and~~

3 ~~(3) Restricted by the governor or the director of finance~~
4 ~~without the prior approval of the legislature.~~

5 ~~Any rule, policy, or action of any agency or individual in~~
6 ~~contravention of this subsection shall be void as against public~~
7 ~~policy.~~

8 ~~(b) Any law to the contrary notwithstanding, the board of~~
9 ~~regents may authorize expenditures of up to \$3,000,000 annually,~~
10 ~~excluding in kind services, from this fund for the purposes of~~
11 ~~promoting alumni relations and generating private donations for~~
12 ~~deposit into the University of Hawaii Foundation for the~~
13 ~~purposes of the university. Any expenditure authorized pursuant~~
14 ~~to this subsection shall be for a public purpose and shall not~~
15 ~~be subject to chapters 42F, 103, 103D, and 103F. The university~~
16 ~~shall submit a comprehensive report to the legislature detailing~~
17 ~~the use of any funds authorized by the board under this~~
18 ~~subsection no later than twenty days prior to the convening of~~
19 ~~each regular session.~~

20 ~~The report shall:~~

21 ~~(1) Identify each department of the University of Hawaii~~
22 ~~Foundation supported by moneys from the fund,~~



- 1 ~~(2) Describe the purposes and activities of each~~
2 ~~department identified in paragraph (1) and how it~~
3 ~~participates in fundraising activities and benefits~~
4 ~~the university;~~
- 5 ~~(3) Provide the total expenditures of each department~~
6 ~~identified in paragraph (1) by primary expense~~
7 ~~categories;~~
- 8 ~~(4) Identify all moneys from the fund transferred to any~~
9 ~~fund of the university and provide a justification of~~
10 ~~how these moneys are used to benefit the university;~~
- 11 ~~(5) Provide a financial summary of the operating~~
12 ~~activities of the University of Hawaii Foundation,~~
13 ~~including revenues and expenditures by major reporting~~
14 ~~categories; and~~
- 15 ~~(6) Identify amounts and purposes of all expenditures from~~
16 ~~the University of Hawaii support fund.~~
- 17 ~~(c) Any law to the contrary notwithstanding, the~~
18 ~~university may transfer funds from the University of Hawaii~~
19 ~~tuition and fees special fund into the scholarship and~~
20 ~~assistance special fund established pursuant to section [304A-~~
21 ~~2159]-."]~~



1 SECTION 62. Section 304A-2154, Hawaii Revised Statutes, is
2 repealed.

3 ~~["§304A-2154] Systemwide information technology and~~
4 ~~services special fund. There is established the systemwide~~
5 ~~information technology and services special fund, from which all~~
6 ~~moneys shall be used in support of systemwide information~~
7 ~~technology and services including personnel, equipment costs,~~
8 ~~and other expenses, as well as planning, design, and~~
9 ~~implementation of information technology infrastructure within~~
10 ~~the university. All moneys for the fund shall be provided from~~
11 ~~revenues collected from users of information technology and~~
12 ~~services and any information technology user fee established~~
13 ~~pursuant to section [304A-401]."~~

14 SECTION 63. Section 304A-2155, Hawaii Revised Statutes, is
15 repealed.

16 ~~["§304A-2155] Library special fund. There is established~~
17 ~~a library special fund for the libraries of the University of~~
18 ~~Hawaii into which shall be deposited all fines, fees, and other~~
19 ~~revenue derived from the libraries' operations. Moneys~~
20 ~~deposited in this fund may be expended to replace or repair~~
21 ~~lost, damaged, stolen, or outdated books, serials, and~~
22 ~~periodicals or to support and improve the services provided by~~



1 ~~the libraries. The amounts allocated to each campus library~~
2 ~~from the special fund shall be proportionate to the amount of~~
3 ~~revenues generated by each library."]~~

4 SECTION 64. Section 304A-2156, Hawaii Revised Statutes, is
5 repealed.

6 ~~[" [§304A-2156] University of Hawaii community services~~
7 ~~special fund. (a) There is established the University of~~
8 ~~Hawaii community services special fund. Except as otherwise~~
9 ~~provided by law, all revenues, including interest, derived and~~
10 ~~collected from the university's provision of public service~~
11 ~~programs shall be deposited into the University of Hawaii~~
12 ~~community services special fund. The university may establish~~
13 ~~and collect fees and charges for public service programs. All~~
14 ~~revenues deposited into the University of Hawaii community~~
15 ~~services special fund shall be used exclusively for the costs of~~
16 ~~providing public service programs. The university may establish~~
17 ~~accounts under the community services special fund to facilitate~~
18 ~~the administration of this fund among the various campuses and~~
19 ~~operating units of the University of Hawaii system. All~~
20 ~~expenditures from this fund shall be subject to legislative~~
21 ~~appropriation.~~



1 ~~(b) As used in this section, "public service programs"~~

2 means:

3 ~~(1) Noncredit educational programs in professional~~
4 ~~development and training, personal growth, and~~
5 ~~cultural enrichment; and~~

6 ~~(2) Cooperative extension and consultative services."]~~

7 SECTION 65. Section 304A-2157, Hawaii Revised Statutes, is
8 repealed.

9 ~~["~~§304A-2157~~ University of Hawaii auxiliary enterprises~~
10 ~~special fund.~~ (a) There is established the University of Hawaii
11 ~~auxiliary enterprises special fund.~~ Except as otherwise
12 ~~provided by law, all revenues, including interest, derived and~~
13 ~~collected from the university's provision of auxiliary services~~
14 ~~shall be deposited into the University of Hawaii auxiliary~~
15 ~~enterprises special fund and shall be expended solely for the~~
16 ~~costs of providing these services. The university may establish~~
17 ~~and collect fees and charges for the costs of providing these~~
18 ~~services. The university also may transfer other funds into the~~
19 ~~University of Hawaii auxiliary enterprises special fund to~~
20 ~~offset the cost of these services. The university may establish~~
21 ~~accounts under the University of Hawaii auxiliary enterprises~~
22 ~~special fund to facilitate the administration of this fund among~~



1 ~~the various campuses and operating units of the University of~~
2 ~~Hawaii system. All expenditures from this fund shall be subject~~
3 ~~to legislative appropriation.~~

4 ~~(b) As used in this section, "auxiliary services" means~~
5 ~~those services provided by the university to students, faculty,~~
6 ~~staff, and others that are ancillary to, but facilitate the~~
7 ~~instruction, research, and public service missions of the~~
8 ~~university and may include food services, transportation~~
9 ~~services, counseling and guidance, and laboratory animal~~
10 ~~services."]~~

11 SECTION 66. Section 304A-2158, Hawaii Revised Statutes, is
12 repealed.

13 ~~["§304A-2158] Western Governors University special fund.~~
14 ~~There is established a Western Governors University special fund~~
15 ~~into which shall be deposited all revenues derived from the~~
16 ~~State's participation in the Western Governors University,~~
17 ~~except University of Hawaii income from tuition and fees charged~~
18 ~~for regular courses of instruction and tuition related course~~
19 ~~and fee charges to students. The fund shall be administered by~~
20 ~~the board of regents of the University of Hawaii and shall be~~
21 ~~used for the State's membership and participation in the Western~~
22 ~~Governors University."]~~



1 SECTION 67. Section 304A-2159, Hawaii Revised Statutes, is
2 repealed.

3 ~~["§304A-2159] University of Hawaii scholarship and~~
4 ~~assistance special fund. (a) There is established the~~
5 ~~University of Hawaii scholarship and assistance special fund to~~
6 ~~be administered by the University of Hawaii. The special fund~~
7 ~~shall be administered pursuant to the authority of the board of~~
8 ~~regents to grant, modify, or suspend the scholarship and~~
9 ~~assistance under section [304A-501]. This fund shall be used to~~
10 ~~provide financial assistance to qualified students enrolled at~~
11 ~~any campus of the University of Hawaii.~~

12 ~~(b) Revenues deposited into this fund shall include but~~
13 ~~not be limited to state, federal, and private funds, funds~~
14 ~~transferred by the university from the tuition and fees special~~
15 ~~fund pursuant to section [304A-2153], and appropriations for the~~
16 ~~state scholars program; provided that state funds appropriated~~
17 ~~for any scholarship program, including but not limited to the B~~
18 ~~Plus scholarship program, the Hawaii state scholars program, and~~
19 ~~the workforce development scholarship program, shall be kept in~~
20 ~~a separate and distinct account.~~

21 ~~(c) The annual report for the special fund shall include~~
22 ~~but not be limited to the number of tuition waivers,~~



1 ~~scholarships, and stipends. The report shall also include but~~
2 ~~not be limited to the number of tuition waivers granted under~~
3 ~~section [304A-503] through the Hawaii opportunity program in~~
4 ~~education. The report shall also include recommendations as~~
5 ~~appropriate to the legislature on all tuition waivers.~~

6 ~~(d) This fund is not intended to provide loans or keep~~
7 ~~track of payback provisions."]~~

8 SECTION 68. Section 304A-2160, Hawaii Revised Statutes, is
9 repealed.

10 ~~"[§304A-2160] State higher education loan fund. There is~~
11 ~~established a special fund to be known as the state higher~~
12 ~~education loan fund. The fund shall be a revolving fund and all~~
13 ~~interest and payments received on account of principal shall be~~
14 ~~credited to the fund. The fund shall be administered by the~~
15 ~~board of regents and shall be disbursed to needy students that~~
16 ~~meet eligibility requirements under section [304A-601] pursuant~~
17 ~~to rules adopted by the board."]~~

18 SECTION 69. Section 304A-2161, Hawaii Revised Statutes, is
19 repealed.

20 ~~"[§304A-2161] Hawaii educator loan program special fund.~~
21 ~~There is established the Hawaii educator loan program special~~
22 ~~fund, for the purpose of providing loans pursuant to section~~



1 ~~{304A 701}. The following may be deposited into the special~~
2 ~~fund: appropriations made by the legislature, private~~
3 ~~contributions, repayment of loans, including interest and~~
4 ~~payments received on account of principal, and moneys from other~~
5 ~~sources; provided that:~~

6 ~~(1) Moneys on balance in the special fund at the close of~~
7 ~~each fiscal year shall remain in that fund and shall~~
8 ~~not lapse to the credit of the general fund; and~~

9 ~~(2) An amount from the special fund not exceeding five per~~
10 ~~cent of the total amount of outstanding loans may be~~
11 ~~set by the university to be used for administrative~~
12 ~~expenses incurred in administering the special fund."]~~

13 SECTION 70. Section 304A-2162, Hawaii Revised Statutes, is
14 repealed.

15 ~~"[§304A-2162] Community colleges special fund. (a)~~
16 ~~Section [304A-2003] notwithstanding, there is established a~~
17 ~~community colleges special fund to receive, disburse, and~~
18 ~~account for funds of programs and activities of the community~~
19 ~~colleges, including but not limited to off-campus programs,~~
20 ~~summer session programs, overseas programs, evening sessions,~~
21 ~~study abroad, exchange programs, cultural enrichment programs,~~



1 ~~and consultative services that help make available the resources~~
2 ~~of the community colleges to the communities they serve.~~

3 ~~(b) The special fund may include deposits from:~~

4 ~~(1) The University of Hawaii tuition and fees special fund~~
5 ~~established in section [304A-2153];~~

6 ~~(2) Tuition, fees, and charges for affiliated~~
7 ~~instructional, training, and public service courses~~
8 ~~and programs; and~~

9 ~~(3) Fees, fines, and other money collected for:~~

10 ~~(A) Student health;~~

11 ~~(B) Transcript and diploma;~~

12 ~~(C) Library;~~

13 ~~(D) Facility use;~~

14 ~~(E) Child care;~~

15 ~~(F) Auxiliary enterprises;~~

16 ~~(G) Alumni; and~~

17 ~~(H) Other related activities."]~~

18 SECTION 71. Section 304A-2163, Hawaii Revised Statutes, is
19 repealed.

20 ~~[" [§304A-2163] Center for nursing special fund. There is~~
21 ~~established a center for nursing special fund into which shall~~
22 ~~be deposited any legislative appropriations, federal or private~~



1 ~~grants, and any other funds collected for the purposes of the~~
2 ~~center for nursing established under section [304A-1404]. The~~
3 ~~fund shall be administered by the university, and moneys in the~~
4 ~~fund shall be expended to support the center's activities."~~

5 SECTION 72. Section 304A-2164, Hawaii Revised Statutes, is
6 repealed.

7 ~~["[§304A-2164] Hawaii medical education special fund.~~
8 ~~There is established a Hawaii medical education special fund,~~
9 ~~into which shall be deposited all funds received by the medical~~
10 ~~education council, including:~~

- 11 ~~(1) Moneys from the federal Centers for Medicaid and~~
12 ~~Medicare Services or other federal agencies;~~
- 13 ~~(2) State appropriations; and~~
- 14 ~~(3) Grants, contracts, donations, or private~~
15 ~~contributions.~~

16 ~~The fund shall be administered by the university. Moneys~~
17 ~~deposited in the fund shall be expended by the university for~~
18 ~~the purposes of the graduate medical education program~~
19 ~~established under section [304A-1702]."~~

20 SECTION 73. Section 304A-2165, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§304A-2165] State aquarium special fund. There is~~
2 ~~established the state aquarium special fund into which shall be~~
3 ~~deposited all revenues derived from all fees for admission and~~
4 ~~all fees for the use of aquarium facilities and programs~~
5 ~~collected in conjunction with the operation of the state~~
6 ~~aquarium. The special fund may be deposited in depositories~~
7 ~~other than the state treasury; provided that the university:~~

8 ~~(1) Informs the director of finance of the depositories in~~
9 ~~which moneys from the special fund have been~~
10 ~~deposited; and~~

11 ~~(2) Submits copies of annual statements from each of the~~
12 ~~depositories in which the moneys from the special fund~~
13 ~~are deposited.~~

14 ~~Moneys deposited in this fund shall be expended for the~~
15 ~~operation of the state aquarium."]~~

16 SECTION 74. Section 304A-2166, Hawaii Revised Statutes, is
17 repealed.

18 ~~["§304A-2166] University of Hawaii West Oahu special~~
19 ~~fund. (a) There is established the University of Hawaii West~~
20 ~~Oahu special fund. The proceeds of the special fund shall be~~
21 ~~used for the following purposes:~~



1 ~~(1) Planning, land acquisition, design, construction, and~~
2 ~~equipment necessary for the development of the~~
3 ~~permanent campus of the University of Hawaii West Oahu~~
4 ~~in Kapolei; and~~

5 ~~(2) Planning, land acquisition, design, improvement, and~~
6 ~~construction of infrastructure and other public or~~
7 ~~common facilities necessary for the development of the~~
8 ~~permanent campus of the University of Hawaii West Oahu~~
9 ~~in Kapolei.~~

10 ~~(b) The following shall be deposited into the special~~
11 ~~fund:~~

12 ~~(1) Appropriations by the legislature to the special fund;~~

13 ~~(2) All net proceeds from the sale of public lands, all~~
14 ~~net rents from leases, licenses, and permits, or all~~
15 ~~net proceeds derived from development rights for~~
16 ~~public lands:~~

17 ~~(A) Proposed for large lot subdivision as a five~~
18 ~~hundred acre parcel and designated as Lot 10077~~
19 ~~in Land Court Application 1069; and~~

20 ~~(B) Obtained from the Campbell Estate in the land~~
21 ~~exchange described in section 2 of Act 294,~~
22 ~~Session Laws of Hawaii 1996, located mauka of the~~



1 ~~H-1 Freeway and consisting of nine hundred forty-~~
2 ~~one acres, more or less, and~~

3 ~~(3) Interest earned or accrued on moneys in the special~~
4 ~~fund.~~

5 ~~(c) The fund shall be managed by the university, which~~
6 ~~shall also make expenditures from the fund.~~

7 ~~(d) Notwithstanding any other law to the contrary, no~~
8 ~~moneys from the special fund may be expended for any purposes~~
9 ~~other than the purposes set forth herein unless otherwise~~
10 ~~approved by the legislature."]~~

11 SECTION 75. Section 304A-2167.5, Hawaii Revised Statutes,
12 is repealed.

13 ~~["[§304A-2167.5] University revenue undertakings fund.~~

14 ~~(a) There is established a special fund for the University of~~
15 ~~Hawaii to be known as the university revenue undertakings fund~~
16 ~~into which all revenue of the university under subpart D of part~~
17 ~~VI, including any appropriation allocated pursuant to this~~
18 ~~section received from, or related to, university projects,~~
19 ~~university systems, or networks or any combination thereof,~~
20 ~~constructed or maintained by the board under subpart D of part~~
21 ~~VI shall be deposited. At the direction of the board, there may~~



1 ~~be established accounts in the university revenue undertakings~~
2 ~~fund as required by the resolution authorizing revenue bonds.~~

3 ~~If revenue bonds are issued under subpart D of part VI~~
4 ~~payable from the revenue of a university parking facility or the~~
5 ~~revenue of a university system that includes a university~~
6 ~~parking facility, the board in the resolution authorizing~~
7 ~~revenue bonds may direct that all or any part of the moneys~~
8 ~~required by this chapter to be paid into the university parking~~
9 ~~revolving fund created by section 304A 2275 shall be deposited~~
10 ~~in the university revenue undertakings fund in lieu of being~~
11 ~~deposited in the university parking revolving fund.~~

12 ~~(b) All moneys in the university revenue undertakings fund~~
13 ~~shall be applied in accordance with the resolution of the board~~
14 ~~authorizing the issuance of revenue bonds under subpart D of~~
15 ~~part VI, as follows:~~

16 ~~(1) To provide for all costs of construction, operation,~~
17 ~~repair, and maintenance of a university project,~~
18 ~~university system, network, or any combination~~
19 ~~thereof, including reserves therefor;~~

20 ~~(2) To pay when due all revenue bonds and interest~~
21 ~~thereon, for the payment of which all or any part of~~
22 ~~the revenue of the university is or has been pledged,~~



1 ~~charged, or otherwise encumbered, including reserves~~
2 ~~therefor,~~

3 ~~(3) To reimburse the university for all moneys advanced to~~
4 ~~pay the expenses incurred in making the preparation~~
5 ~~for the initial issuance of revenue bonds under~~
6 ~~subpart D of part VI,~~

7 ~~(4) To reimburse the general fund of the State for~~
8 ~~principal and interest on general obligation bonds~~
9 ~~issued for all university projects, university~~
10 ~~systems, networks, or any combination thereof, or~~
11 ~~issued to refund any of such general obligation bonds,~~
12 ~~to the extent required by law; and~~

13 ~~(5) To provide a reserve for betterments and improvements~~
14 ~~to and renewals and replacements of, university~~
15 ~~projects, university systems, networks, or any~~
16 ~~combination thereof.~~

17 ~~If adequate provision is made for all the foregoing~~
18 ~~purposes, and if permitted by law and the covenants in the~~
19 ~~resolution authorizing the issuance of revenue bonds under~~
20 ~~subpart D of part VI, any moneys remaining in the university~~
21 ~~revenue undertakings fund at the end of a fiscal year may be~~



1 ~~expended by the board in subsequent years in furtherance of any~~
2 ~~of the purposes of the university.~~

3 ~~(c) The following terms used in this section shall be as~~
4 ~~defined in section 304A-2671: "appropriation", "board",~~
5 ~~"construction", "cost of construction", "cost of maintenance",~~
6 ~~"maintenance", "network", "reserves", "revenue bonds", "revenue~~
7 ~~of the university", "university project", and "university~~
8 ~~system"."]~~

9 SECTION 76. Section 304A-2168, Hawaii Revised Statutes, is
10 repealed.

11 [~~§304A-2168 Hawaii cancer research special fund. (a)~~
12 ~~There is established within the state treasury a special fund to~~
13 ~~be known as the Hawaii cancer research special fund to be~~
14 ~~administered and expended by the University of Hawaii.~~

15 ~~(b) The moneys in the special fund shall be used by the~~
16 ~~University of Hawaii for the cancer research center of Hawaii's~~
17 ~~research and operating expenses and capital expenditures.~~

18 ~~(c) The following shall be deposited into the special~~
19 ~~fund:~~

20 ~~(1) Moneys collected pursuant to section 245-15,~~



1 ~~(2) All other fees, charges, and other moneys received in~~
2 ~~conjunction with programs of the cancer research~~
3 ~~center of Hawaii;~~

4 ~~(3) Transfers from other accounts or funds; and~~

5 ~~(4) Interest earned or accrued on moneys in the special~~
6 ~~fund.~~

7 ~~(d) Beginning on January 1, 2010, the University of Hawaii~~
8 ~~shall report semi-annually to the legislature on the moneys in~~
9 ~~the Hawaii cancer research special fund, including deposits,~~
10 ~~expenditures, and other transactions. The reports shall explain~~
11 ~~in detail all expenditures from the special fund."]~~

12 SECTION 77. Section 304A-2169, Hawaii Revised Statutes, is
13 repealed.

14 ~~["§304A-2169 Energy systems development special fund. (a)~~
15 ~~There is established the energy systems development special fund~~
16 ~~for the purpose of developing an integrated approach and~~
17 ~~portfolio management of renewable energy and energy efficiency~~
18 ~~technology projects that will reduce Hawaii's dependence on~~
19 ~~fossil fuel and imported oil and other imported energy resources~~
20 ~~and move Hawaii toward energy self sufficiency.~~

21 ~~(b) The special fund shall be funded by:~~

22 ~~(1) Appropriations from the legislature;~~



1 ~~(2) The portion of the environmental response, energy, and~~
2 ~~food security tax specified under section 243-3.5, and~~

3 ~~(3) Investment earnings, gifts, donations, or other income~~
4 ~~received by the Hawaii natural energy institute.~~

5 ~~(c) The Hawaii natural energy institute shall administer~~
6 ~~the special fund and may expend revenues from the special fund~~
7 ~~for the following activities:~~

8 ~~(1) Obtaining matching funds from federal and private~~
9 ~~sources for research, development, and demonstration~~
10 ~~of renewable energy sources;~~

11 ~~(2) Awarding contracts or grants to develop and deploy~~
12 ~~technologies that will reduce Hawaii's dependence on~~
13 ~~imported energy resources and imported oil. Projects~~
14 ~~may be commissioned that:~~

15 ~~(A) Balance the risk, benefits, and time horizons of~~
16 ~~the investment to ensure tangible benefits to the~~
17 ~~Hawaii consumer, with priority given to short-~~
18 ~~term technology development;~~

19 ~~(B) Emphasize innovative and renewable energy supply~~
20 ~~and energy efficient end use technologies~~
21 ~~focusing on environmental attributes,~~
22 ~~reliability, and affordability;~~



- 1 ~~(C) Enhance transmission and distribution~~
2 ~~capabilities of renewable energy supply for~~
3 ~~electricity;~~
- 4 ~~(D) Enhance reliability and storage capabilities of~~
5 ~~renewable energy for electricity;~~
- 6 ~~(E) Ensure that research, deployment, and~~
7 ~~demonstration efforts build on existing programs~~
8 ~~and resources and are not duplicated;~~
- 9 ~~(F) Address critical technical and scientific~~
10 ~~barriers to achieving energy self sufficiency by~~
11 ~~reducing dependence on imported oil and imported~~
12 ~~energy resources;~~
- 13 ~~(G) Ensure that technology used and developed for~~
14 ~~renewable energy production and distribution will~~
15 ~~be commercially viable; and~~
- 16 ~~(H) Give priority to resources that are indigenous~~
17 ~~and unique to Hawaii; and~~
- 18 ~~(3) Managing the portfolio of projects commissioned under~~
19 ~~this subsection."]~~

20 SECTION 78. Section 304A-2170, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§304A-2170] Mauna Kea lands management special fund.~~

2 ~~(a) There is established the Mauna Kea lands management special~~
3 ~~fund, into which shall be deposited:~~

4 ~~(1) Appropriations by the legislature;~~

5 ~~(2) All net rents from leases, licenses, and permits,~~
6 ~~including fees and charges for the use of land and~~
7 ~~facilities within the Mauna Kea lands;~~

8 ~~(3) All moneys collected for violations of subpart O of~~
9 ~~part IV; and~~

10 ~~(4) Interest earned or accrued on moneys in the special~~
11 ~~fund.~~

12 ~~(b) The proceeds of the special fund shall be used for:~~

13 ~~(1) Managing the Mauna Kea lands, including maintenance,~~
14 ~~administrative expenses, salaries and benefits of~~
15 ~~employees, contractor services, supplies, security,~~
16 ~~equipment, janitorial services, insurance, utilities,~~
17 ~~and other operational expenses; and~~

18 ~~(2) Enforcing administrative rules adopted relating to the~~
19 ~~Mauna Kea lands.~~

20 ~~(c) No moneys deposited into the Mauna Kea lands~~
21 ~~management special fund may be used by the governor or the~~
22 ~~director of finance as a justification for reducing any budget~~



1 ~~request or allotment to the University of Hawaii unless the~~
2 ~~University of Hawaii requests the reduction.~~

3 ~~(d) The University of Hawaii may establish separate~~
4 ~~accounts within the special fund for major program activities.~~

5 ~~(e) All expenditures from the special fund shall be~~
6 ~~subject to legislative appropriation.~~

7 ~~(f) For the purposes of this section, "Mauna Kea lands"~~
8 ~~shall mean the same as defined in section 304A-1901."]~~

9 SECTION 79. Section 304A-2171, Hawaii Revised Statutes, is
10 repealed.

11 ~~["§304A-2171] John A. Burns school of medicine special~~
12 ~~fund. (a) There is established the John A. Burns school of~~
13 ~~medicine special fund, to be administered and expended by the~~
14 ~~University of Hawaii.~~

15 ~~(b) The following shall be deposited into the special~~
16 ~~fund:~~

17 ~~(1) Appropriations by the legislature;~~

18 ~~(2) Physician workforce assessment fees established~~
19 ~~pursuant to section 453-8.8;~~

20 ~~(3) Grants, donations, gifts, or other income received for~~
21 ~~the purposes of the special fund; and~~



1 ~~(4) Interest earned or accrued on moneys in the special~~
2 ~~fund.~~

3 ~~(c) Moneys in the special fund shall be used to support~~
4 ~~the John A. Burns school of medicine's activities related to~~
5 ~~physician workforce assessment and planning within Hawaii;~~
6 ~~provided that expenditures from the special fund shall be~~
7 ~~limited to no more than \$150,000 annually. This shall include~~
8 ~~but not be limited to maintaining accurate physician workforce~~
9 ~~assessment information and providing or updating personal and~~
10 ~~professional information, that shall be maintained in a secure~~
11 ~~database. The John A. Burns school of medicine may disclose~~
12 ~~information specific to any physician only with the express~~
13 ~~written consent of that physician."]~~

14 SECTION 80. Section 304A-2172, Hawaii Revised Statutes, is
15 repealed.

16 ~~"[§304A-2172] University of Hawaii capital improvements~~
17 ~~program project assessment special fund. (a) There shall be~~
18 ~~established in the university a special fund to be known as the~~
19 ~~University of Hawaii capital improvements program project~~
20 ~~assessment special fund for the purpose of defraying the costs~~
21 ~~involved in.~~



- 1 ~~(1) Carrying out capital improvements program projects~~
2 ~~managed by the university;~~
- 3 ~~(2) Equitably assessing, collecting, and distributing~~
4 ~~moneys for current and other expenses associated with~~
5 ~~capital improvements program projects, repair and~~
6 ~~maintenance projects, and major renovation projects;~~
- 7 ~~(3) Managing the payment of expenses assessable against~~
8 ~~capital improvements program projects managed by or~~
9 ~~through the university, such as printing, employee~~
10 ~~transportation requirements, project-related travel~~
11 ~~costs, travel per diem, and car mileage~~
12 ~~reimbursements, in accordance with applicable laws and~~
13 ~~collective bargaining agreements; and~~
- 14 ~~(4) Managing funds representing accumulated vacation and~~
15 ~~sick leave credits and retirement benefits for non-~~
16 ~~general funded employees under the capital~~
17 ~~improvements program projects managed by the~~
18 ~~university.~~
- 19 ~~(b) The president or the president's designee shall make~~
20 ~~reasonable assessments on capital improvements program projects,~~
21 ~~repair and maintenance projects, and major renovation projects~~
22 ~~managed by the university to carry out the program of~~



1 ~~centralized management, oversight, and administration of the~~
2 ~~projects. The assessments shall be based on the evaluation by~~
3 ~~the president or the president's designee of the reasonable~~
4 ~~historic and projected costs of providing such services. All~~
5 ~~assessments collected shall be deposited into the University of~~
6 ~~Hawaii capital improvements program project assessment special~~
7 ~~fund.~~

8 ~~(c) The University of Hawaii capital improvements program~~
9 ~~project assessment special fund shall be administered by the~~
10 ~~office of capital improvements of the university.~~

11 ~~(d) All expenditures from the University of Hawaii capital~~
12 ~~improvements program project assessment special fund shall be~~
13 ~~made by the president or the president's designee in accordance~~
14 ~~with applicable laws and rules."]~~

15 SECTION 81. Section 304A-2251, Hawaii Revised Statutes, is
16 repealed.

17 [~~§304A-2251 University of Hawaii commercial enterprises~~
18 ~~revolving fund. There is established the University of Hawaii~~
19 ~~commercial enterprises revolving fund into which shall be~~
20 ~~deposited all revenues derived from the operation of commercial~~
21 ~~enterprises by university programs. Revenues deposited into~~
22 ~~this fund may be expended by the university for all costs and~~



1 ~~expenses associated with the operation of the enterprises,~~
2 ~~including hiring personnel, renovating commercial space, and~~
3 ~~purchasing merchandise, supplies, and equipment, without regard~~
4 ~~to chapters 76, 78, 89, 103, and 103D. Any law to the contrary~~
5 ~~notwithstanding, the university may transfer all funds at its~~
6 ~~disposal, with the exception of general funds and University of~~
7 ~~Hawaii tuition and fees special fund moneys, into the revolving~~
8 ~~fund to finance the establishment of new commercial enterprises,~~
9 ~~except that no more than ten per cent of the tuition and fees~~
10 ~~special fund moneys may be loaned to the revolving fund to~~
11 ~~finance the establishment of new commercial enterprises.~~
12 ~~Revenues not expended as provided in this section may be~~
13 ~~transferred to other university funds to be expended for the~~
14 ~~general benefit of the university."]~~

15 SECTION 82. Section 304A-2252, Hawaii Revised Statutes, is
16 repealed.

17 ["~~§304A-2252~~ ~~Child care programs revolving fund.~~ There
18 ~~is established a child care programs revolving fund for the~~
19 ~~operation of child care programs established under section~~
20 ~~304A-116 and the construction and renovation of child care~~
21 ~~centers established by the University of Hawaii. Fees charged~~
22 ~~for child care at child care programs, proceeds from donations~~



1 ~~to the university for child care programs, and proceeds from~~
2 ~~loans or other instruments of indebtedness for the construction~~
3 ~~or renovation of child care centers shall be deposited into the~~
4 ~~revolving fund. Expenditures from the revolving fund shall be~~
5 ~~made for the operation of child care programs and payment of~~
6 ~~principal and interest on obligations incurred for the~~
7 ~~construction or renovation of child care centers."]~~

8 SECTION 83. Section 304A-2253, Hawaii Revised Statutes, is
9 repealed.

10 [~~["§304A-2253] Research and training revolving fund. (a)~~

11 ~~There is established a University of Hawaii research and~~
12 ~~training revolving fund into which shall be deposited one~~
13 ~~hundred per cent of the total amount of indirect overhead~~
14 ~~revenues generated by the university from research and training~~
15 ~~programs. The board of regents is authorized to expend one~~
16 ~~hundred per cent of the revenues deposited in the fund for:~~

- 17 ~~(1) Research and training purposes that may result in~~
18 ~~additional research and training grants and contracts;~~
19 ~~(2) Facilitating research and training at the university;~~
20 ~~and~~



1 ~~(3) Further deposit into the discoveries and inventions~~
2 ~~revolving fund and the University of Hawaii housing~~
3 ~~assistance revolving fund.~~

4 ~~(b) The annual report required to be made for this~~
5 ~~revolving fund shall include but not be limited to a breakdown~~
6 ~~of travel expenses.~~

7 ~~(c) Notwithstanding sections 304A 107, [304A 2254], and~~
8 ~~[304A 2258] to the contrary, the board of regents or its~~
9 ~~designee, may establish a separate account within the research~~
10 ~~and training revolving fund for the purpose of providing advance~~
11 ~~funding to meet reimbursable costs incurred in connection with~~
12 ~~federally financed research and training projects. Any~~
13 ~~reimbursement received as a result of providing advance funding~~
14 ~~shall be deposited into the research and training revolving fund~~
15 ~~to be used for the purpose of meeting reimbursable costs~~
16 ~~incurred in connection with federally financed projects.~~

17 ~~(d) Revenues deposited into the fund shall not be used as~~
18 ~~a basis for reducing any current or future budget request or~~
19 ~~allotment to the university unless the university requests such~~
20 ~~a reduction."]~~

21 SECTION 84. Section 304A-2254, Hawaii Revised Statutes, is
22 repealed.



1 ~~["§304A-2254] Discoveries and inventions revolving fund.~~

2 ~~There is established a discoveries and inventions revolving fund~~
3 ~~into which shall be deposited a portion of the total indirect~~
4 ~~overhead funds generated by the university for research and~~
5 ~~training purposes in the prior fiscal year, as determined by the~~
6 ~~board of regents. Appropriations by the legislature subject to~~
7 ~~the approval of the governor, proceeds from the commercial~~
8 ~~exploitation of inventions and intellectual property developed~~
9 ~~at the university, gifts, donations, fees collected, and grants~~
10 ~~from public agencies and private persons may also be deposited~~
11 ~~into the fund for the purposes of supporting innovation and~~
12 ~~research commercialization and the patenting, copyrighting,~~
13 ~~licensing, and marketing of discoveries, inventions, and~~
14 ~~technologies developed at the university. The fund shall be~~
15 ~~used to develop technologies that have potential commercial~~
16 ~~value, support the administration of technology transfer~~
17 ~~activities, and facilitate economic development through~~
18 ~~education and research undertaken at the university."]~~

19 SECTION 85. Section 304A-2255, Hawaii Revised Statutes, is
20 repealed.

21 ~~["§304A-2255] Student health center revolving fund.~~

22 ~~There is established the student health center revolving fund~~



1 ~~for the student health center from which shall be paid the cost~~
2 ~~of operations of the student health center services and that~~
3 ~~shall be replenished through charges made for medical services~~
4 ~~and other related goods and services or through transfers from~~
5 ~~other accounts or funds."]~~

6 SECTION 86. Section 304A-2256, Hawaii Revised Statutes, is
7 repealed.

8 ~~["§304A-2256] Transcript and diploma revolving fund.~~

9 ~~There is established the transcript and diploma revolving fund~~
10 ~~that shall be used to defray the cost of transcripts and~~
11 ~~diplomas and that shall be replenished through charges made for~~
12 ~~transcripts and diplomas or through transfers from other~~
13 ~~accounts or funds."]~~

14 SECTION 87. Section 304A-2257, Hawaii Revised Statutes, is
15 repealed.

16 ~~["§304A-2257] University of Hawaii student activities~~

17 ~~revolving fund. (a) There is established the University of~~
18 ~~Hawaii student activities revolving fund into which shall be~~
19 ~~deposited all funds assessed as compulsory student activity fees~~
20 ~~and collected by the University of Hawaii on behalf of chartered~~
21 ~~student organizations and student activity programs of the~~
22 ~~several campuses of the University of Hawaii system. All~~



1 ~~revenues received by chartered student organizations and student~~
2 ~~activity programs from student activities and programs, except~~
3 ~~those revenues to which other special funds have prior claim,~~
4 ~~shall also be deposited into the revolving fund.~~

5 ~~(b) Separate accounts shall be maintained for each~~
6 ~~chartered student organization and student activity program.~~
7 ~~Funds from the accounts may be withdrawn and expended by each~~
8 ~~respective chartered student organization or student activity~~
9 ~~program for any purpose that it deems necessary and proper to~~
10 ~~carry out and achieve its educational responsibilities,~~
11 ~~programs, and related activities; provided that approval for the~~
12 ~~expenditure is first obtained from the board of regents or its~~
13 ~~designated representative, except that approval is not required~~
14 ~~for expenditures for the purchase of flowers, leis, food,~~
15 ~~refreshments, and prizes if the purchases do not exceed an~~
16 ~~amount determined by policies adopted by the board of regents,~~
17 ~~and provided further that the amount shall not exceed the funds~~
18 ~~available to any chartered student organization or student~~
19 ~~activity program annually.~~

20 ~~(c) Other laws to the contrary notwithstanding, any~~
21 ~~chartered student organization may be permitted to withdraw and~~
22 ~~expend funds from the special accounts to employ or retain, by~~



1 ~~contract or otherwise, an attorney or attorneys only for the~~
2 ~~purpose of defending such organization in any litigation. Any~~
3 ~~chartered student organization specifically organized to provide~~
4 ~~student publications or broadcast communications may also be~~
5 ~~permitted to withdraw and expend funds from the special accounts~~
6 ~~to employ or retain, by contract or otherwise, an attorney for~~
7 ~~the purpose of rendering legal advice to avoid lawsuits. The~~
8 ~~expenditures in this subsection shall be approved by, and in~~
9 ~~accordance with policies adopted by, the board of regents. No~~
10 ~~funds expended under this subsection may be used to defend~~
11 ~~chartered student organizations for any wilful or malicious act~~
12 ~~or to pay for any claim for loss or damage arising from the~~
13 ~~activities of the chartered student organizations, including~~
14 ~~costs, expenses, and liabilities incurred in connection with any~~
15 ~~claim or proceeding brought against a chartered student~~
16 ~~organization for damages resulting from the act or omission of a~~
17 ~~chartered student organization or any member thereof. All~~
18 ~~moneys received for the University of Hawaii student activities~~
19 ~~revolving fund shall be deposited in a depository maintained by~~
20 ~~the university in accordance with policies that shall be adopted~~
21 ~~by the board of regents."]~~



1 SECTION 88. Section 304A-2258, Hawaii Revised Statutes, is
2 repealed.

3 ~~["§304A-2258] University of Hawaii housing assistance~~
4 ~~revolving fund. There is established the University of Hawaii~~
5 ~~housing assistance revolving fund into which shall be deposited~~
6 ~~a portion of the total indirect overhead funds generated by the~~
7 ~~university for research and training purposes in the prior~~
8 ~~fiscal year as determined by the board of regents. The fund~~
9 ~~shall be used to:~~

- 10 ~~(1) Implement the university housing assistance master~~
11 ~~plan, in accordance with policies adopted by the board~~
12 ~~of regents; and~~
- 13 ~~(2) Account for all transactions of the university housing~~
14 ~~assistance program, including but not limited to~~
15 ~~revenues, expenditures, loans, and transfers."]~~

16 SECTION 89. Section 304A-2259, Hawaii Revised Statutes, is
17 repealed.

18 ~~["§304A-2259] University of Hawaii alumni revolving fund.~~
19 ~~There is established the University of Hawaii alumni revolving~~
20 ~~fund into which shall be deposited funds and proceeds received~~
21 ~~by the university from alumni activities and donations from~~
22 ~~alumni. Funds deposited into this revolving fund may be~~



1 ~~expended by the university for all costs associated with~~
2 ~~conducting alumni affairs, activities, and programs for the~~
3 ~~university system, including but not limited to expenses for~~
4 ~~honoraria, hotel and room rentals, food and refreshment,~~
5 ~~printing and mailing, banners and signs, plaques and awards,~~
6 ~~airfare and per diem, leis, rental of audiovisual, musical, and~~
7 ~~stage equipment, and activity supplies and materials, without~~
8 ~~regard to statutory competitive bidding requirements."]~~

9 SECTION 90. Section 304A-2260, Hawaii Revised Statutes, is
10 repealed.

11 ~~[" §304A-2260 University of Hawaii graduate application~~
12 ~~revolving fund. There is established the University of Hawaii~~
13 ~~graduate application revolving fund for graduate program~~
14 ~~application processing. The board of regents may establish~~
15 ~~appropriate charges for application processing. The revenues~~
16 ~~from the charges shall be deposited into this revolving fund and~~
17 ~~shall be used to pay the costs of processing applications to all~~
18 ~~graduate programs."]~~

19 SECTION 91. Section 304A-2261, Hawaii Revised Statutes, is
20 repealed.

21 ~~[" §304A-2261 University of Hawaii at Manoa~~
22 ~~intercollegiate athletics revolving fund and University of~~



1 ~~Hawaii at Hilo intercollegiate athletics revolving fund.~~
2 ~~Notwithstanding any other law to the contrary, there are~~
3 ~~established the University of Hawaii at Manoa intercollegiate~~
4 ~~athletics revolving fund and the University of Hawaii at Hilo~~
5 ~~intercollegiate athletics revolving fund for the intercollegiate~~
6 ~~athletic programs of the University of Hawaii at Manoa and the~~
7 ~~University of Hawaii at Hilo, which shall be used to receive,~~
8 ~~deposit, disburse, and account for funds from the activities of~~
9 ~~the intercollegiate athletic programs. The university may~~
10 ~~establish appropriate charges for activities related to its~~
11 ~~athletic programs and the use of its athletic facilities, the~~
12 ~~proceeds from which shall be deposited into these revolving~~
13 ~~funds.~~

14 ~~The university shall maintain the financial integrity and~~
15 ~~viability of these revolving funds, including the maintenance of~~
16 ~~an adequate reserve to cope with the various factors that impact~~
17 ~~the revenue structure of an intercollegiate athletic program."]~~

18 SECTION 92. Section 304A-2262, Hawaii Revised Statutes, is
19 repealed.

20 ~~["§304A-2262] Animal research farm, Waialeale, Oahu~~
21 ~~revolving fund. There is established the animal research farm,~~
22 ~~Waialeale, Oahu revolving fund for the animal research farm,~~



1 ~~Waialeale, Oahu, operated by the college of tropical agriculture~~
2 ~~and human resources of the University of Hawaii, into which~~
3 ~~shall be deposited the receipts from fees realized from the sale~~
4 ~~of livestock, services, and supplies. Funds deposited into this~~
5 ~~revolving fund shall be expended for animal research, and~~
6 ~~services and supplies related thereto."]~~

7 SECTION 93. Section 304A-2263, Hawaii Revised Statutes, is
8 repealed.

9 ["~~§304A-2263~~ ~~Seed distribution program; revolving fund.~~
10 ~~There is established the seed distribution program revolving~~
11 ~~fund, the purpose of which shall be to enable the seed~~
12 ~~distribution program to operate at a level that will adequately~~
13 ~~meet the demand for seeds. The fund shall be used for the~~
14 ~~cultivation and production of seeds and for research and~~
15 ~~developmental purposes directly related to cultivation and~~
16 ~~production. The fund shall be administered by the college of~~
17 ~~tropical agriculture and human resources of the University of~~
18 ~~Hawaii. All sums withdrawn from the fund shall be reimbursed or~~
19 ~~restored from the proceeds realized through the sale of seeds."]~~

20 SECTION 94. Section 304A-2264, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§304A-2264] Conference center revolving fund;~~
2 ~~University of Hawaii at Manoa. There is established the~~
3 ~~conference center revolving fund for the conference center~~
4 ~~program in the college of continuing education and community~~
5 ~~service of the University of Hawaii at Manoa. All fees,~~
6 ~~charges, and other moneys collected in conjunction with the~~
7 ~~conference center program shall be deposited in the revolving~~
8 ~~fund. The dean of the college of continuing education and~~
9 ~~community service is authorized to expend funds from the~~
10 ~~revolving fund for all costs associated with conducting~~
11 ~~conferences, seminars, and courses by the conference center~~
12 ~~program, including but not limited to expenses for honoraria,~~
13 ~~hotel and room rentals, food and refreshment, printing and~~
14 ~~mailing, airfare and per diem, leis, rental of audiovisual~~
15 ~~equipment, and conference supplies and materials."]~~

16 SECTION 95. Section 304A-2265, Hawaii Revised Statutes, is
17 repealed.

18 ~~["§304A-2265] International exchange healthcare tourism~~
19 ~~revolving fund. (a) There is established the international~~
20 ~~exchange healthcare tourism revolving fund for the international~~
21 ~~exchange of healthcare tourism program into which shall be~~
22 ~~deposited all donations, gifts, contributions, legislative~~



1 ~~appropriations, and moneys generated by the program through~~
2 ~~education, training, and research contracts and grants. Moneys~~
3 ~~deposited into this fund for the school of medicine and the~~
4 ~~school of nursing and dental hygiene shall be divided into~~
5 ~~separate accounts for each school, provided that moneys not~~
6 ~~designated for use by a particular school shall be divided~~
7 ~~equally. Moneys shall be expended from each account by the~~
8 ~~school of medicine and the school of nursing and dental hygiene,~~
9 ~~for student aid, training projects, teaching, supplies,~~
10 ~~services, and activities related to the development and~~
11 ~~promotion of the health-related tourism education program.~~

12 ~~(b) All unexpended and unencumbered moneys appropriated by~~
13 ~~the legislature remaining in the fund at the close of each~~
14 ~~fiscal year that are deemed, by the director of finance, to be~~
15 ~~in excess of the moneys necessary to carry out the purposes of~~
16 ~~this section over the next following fiscal year shall lapse to~~
17 ~~the credit of the state general fund."]~~

18 SECTION 96. Section 304A-2266, Hawaii Revised Statutes, is
19 repealed.

20 ~~["§304A-2266] Education laboratory school summer programs~~
21 ~~revolving fund. There is established the education laboratory~~
22 ~~school summer programs revolving fund, from which shall be paid~~



1 ~~the cost of operations of the education laboratory school summer~~
2 ~~programs. The education laboratory school may establish~~
3 ~~appropriate charges for activities related to its summer~~
4 ~~programs, the proceeds from which shall be deposited into this~~
5 ~~revolving fund."]~~

6 SECTION 97. Section 304A-2267, Hawaii Revised Statutes, is
7 repealed.

8 ~~[" [§304A-2267] Center for labor education and research~~
9 ~~revolving fund. There is established the center for labor~~
10 ~~education and research revolving fund, for use by the director~~
11 ~~of the center for labor education and research with the approval~~
12 ~~of the chancellor or vice chancellor of the University of~~
13 ~~Hawaii, West Oahu campus, in carrying out the purposes of the~~
14 ~~center. All fees, charges, and other moneys collected in~~
15 ~~conjunction with the operations of the center for labor~~
16 ~~education and research shall be deposited in the revolving fund.~~
17 ~~Such amounts shall be expended from the fund by the director of~~
18 ~~the center for labor education and research as may be necessary~~
19 ~~to defray the cost of operating the center for labor education~~
20 ~~and research, excluding compensation of the permanent staff, but~~
21 ~~including contractual obligation, rentals, and such other~~



1 ~~program costs as approved by the chancellor or vice chancellor,~~
2 ~~West Oahu campus."~~]

3 SECTION 98. Section 304A-2268, Hawaii Revised Statutes, is
4 repealed.

5 ~~["§304A-2268] Career and technical training projects~~
6 ~~revolving fund; University of Hawaii at Hilo. There is~~
7 ~~established the career and technical training projects revolving~~
8 ~~fund for the career and technical training projects of the~~
9 ~~community colleges and the University of Hawaii at Hilo into~~
10 ~~which shall be deposited the receipts from fees for services,~~
11 ~~supplies, and use of equipment provided by or in connection with~~
12 ~~these projects. Funds deposited in this account shall be~~
13 ~~expended for vocational and technical training projects, and~~
14 ~~supplies, equipment, and services related thereto."]~~

15 SECTION 99. Section 304A-2269, Hawaii Revised Statutes, is
16 repealed.

17 ~~["§304A-2269] Community college and University of Hawaii~~
18 ~~at Hilo bookstore revolving fund. There is established the~~
19 ~~community college and University of Hawaii at Hilo bookstore~~
20 ~~revolving fund for the community college and University of~~
21 ~~Hawaii at Hilo bookstores, from which shall be paid the cost of~~
22 ~~goods or services rendered or furnished to the bookstores and~~



1 ~~which shall be replenished through charges made for goods and~~
2 ~~services or through transfers from other accounts or funds."]~~

3 SECTION 100. Section 304A-2270, Hawaii Revised Statutes,
4 is repealed.

5 ~~["~~§304A-2270~~ Hawaiian language college revolving fund.~~

6 ~~There is established the Hawaiian language college revolving~~
7 ~~fund into which revenues from the sale of Hawaiian language~~
8 ~~materials shall be deposited. Moneys deposited into this fund~~
9 ~~shall be expended to support the Hawaiian language college at~~
10 ~~the University of Hawaii at Hilo established under section~~
11 ~~{304A-1301}."]~~

12 SECTION 101. Section 304A-2271, Hawaii Revised Statutes,
13 is repealed.

14 ~~["~~§304A-2271~~ University of Hawaii Hilo theatre revolving~~

15 ~~fund. There is established the University of Hawaii Hilo~~
16 ~~theatre revolving fund, which shall consist of admissions,~~
17 ~~advertising sales, corporate sponsorships, marketing,~~
18 ~~merchandising, donations, fund raising, fees, charges, and other~~
19 ~~moneys collected in conjunction with the University of Hawaii-~~
20 ~~Hilo theatre program. The revolving fund shall be administered~~
21 ~~by the office of administrative affairs of the University of~~
22 ~~Hawaii at Hilo. Funds may be expended for all costs associated~~



1 ~~with the theatre program, including artists' fees, production~~
2 ~~costs, personnel costs, honoraria, per diem, hotel and room~~
3 ~~rentals, food and refreshments, printing and mailing,~~
4 ~~advertising, airfare, leis, rental or purchase of equipment, and~~
5 ~~theater supplies and materials."]~~

6 SECTION 102. Section 304A-2272, Hawaii Revised Statutes,
7 is repealed.

8 ~~["~~§304A-2272~~ Conference center revolving fund,~~
9 ~~University of Hawaii at Hilo. There is established the~~
10 ~~conference center revolving fund for the conference center~~
11 ~~program in the college of continuing education and community~~
12 ~~service of the University of Hawaii at Hilo. All fees, charges,~~
13 ~~and other moneys collected in conjunction with the conference~~
14 ~~center program shall be deposited in the revolving fund. The~~
15 ~~dean of the college of continuing education and community~~
16 ~~service is authorized to expend funds from the revolving fund~~
17 ~~for all costs associated with conducting conferences, seminars,~~
18 ~~and courses by the conference center program, including but not~~
19 ~~limited to expenses for honoraria, hotel and room rentals, food~~
20 ~~and refreshment, printing and mailing, airfare and per diem,~~
21 ~~leis, rental of audiovisual equipment, and conference supplies~~
22 ~~and materials."]~~



1 SECTION 103. Section 304A-2273, Hawaii Revised Statutes,
2 is repealed.

3 ~~["~~§304A-2273~~ Community college conference center~~
4 ~~revolving fund.~~ (a) ~~There is established the community college~~
5 ~~conference center revolving fund for conference center programs~~
6 ~~conducted by the various community colleges. All fees, charges,~~
7 ~~and other moneys collected in conjunction with the conference~~
8 ~~center program of each community college shall be deposited in~~
9 ~~separate accounts within the revolving fund. The chancellor of~~
10 ~~each community college or a designee is authorized to expend~~
11 ~~funds from the appropriate account in the revolving fund for all~~
12 ~~costs associated with conducting conferences, seminars, and~~
13 ~~courses by the conference center program, including but not~~
14 ~~limited to expenses for honoraria, hotel and room rentals, food~~
15 ~~and refreshment, printing and mailing, airfare and per diem,~~
16 ~~leis, rental of audiovisual equipment, and conference supplies~~
17 ~~and materials, without regard to section 103D-1002 and any~~
18 ~~competitive bidding requirements pursuant to state procurement~~
19 ~~requirements.~~

20 (b) ~~The chancellors of the community colleges shall~~
21 ~~prepare an annual report to the legislature accounting for all~~



1 ~~income and expenditures of each separate account within the~~
2 ~~revolving fund."]~~

3 SECTION 104. Section 304A-2274, Hawaii Revised Statutes,
4 is repealed.

5 ~~["§304A-2274] University of Hawaii real property and~~
6 ~~facilities use revolving fund. (a) There is established the~~
7 ~~University of Hawaii real property and facilities use revolving~~
8 ~~fund into which shall be deposited all revenues collected by the~~
9 ~~university for the use of university real property and~~
10 ~~facilities, except as otherwise provided by law. The board of~~
11 ~~regents may establish prices, fees, and charges, including those~~
12 ~~for the sale, lease, or use of university real property and~~
13 ~~facilities, which include land, buildings, grounds, furnishings,~~
14 ~~and equipment; provided that the university shall comply with~~
15 ~~all statutory and common law requirements in the disposition of~~
16 ~~ceded lands. The board of regents shall be exempt from the~~
17 ~~public notice and public hearing requirements of chapter 91 in~~
18 ~~establishing and amending the fees and charges. The university~~
19 ~~may establish separate accounts within the revolving fund for~~
20 ~~major program activities. Funds deposited into the revolving~~
21 ~~fund accounts shall be expended to pay the costs of operating~~
22 ~~university facilities, including maintenance, administrative~~



1 ~~expenses, salaries, wages, and benefits of employees, contractor~~
2 ~~services, supplies, security, furnishings, equipment, janitorial~~
3 ~~services, insurance, utilities, and other operational expenses.~~
4 ~~Revenues not expended as provided in this section may be~~
5 ~~transferred to other university funds to be invested or expended~~
6 ~~for the administrative or overhead costs of the university. All~~
7 ~~expenditures from this revolving fund shall be subject to~~
8 ~~legislative appropriation.~~

9 ~~(b) As used in this section, "maintenance" includes~~
10 ~~repairs, replacement, renewals, operation, and administration."]~~

11 SECTION 105. Section 304A-2275, Hawaii Revised Statutes,
12 is repealed.

13 ~~["§304A-2275] University parking revolving fund. There~~
14 ~~is established the university parking revolving fund. All fees,~~
15 ~~finances, or other moneys collected under subpart B of part VI~~
16 ~~shall be deposited into this fund. All moneys in the fund are~~
17 ~~hereby appropriated for the purposes of, and shall be expended~~
18 ~~by the board of regents in the manner specified by, section~~
19 ~~[304A-2167.5]."]~~

20 SECTION 106. Section 312-3.6, Hawaii Revised Statutes, is
21 repealed.



1 ~~["§312-3.6 Libraries special fund. (a) There is~~
2 ~~established in the state treasury a libraries special fund into~~
3 ~~which shall be deposited all moneys collected pursuant to~~
4 ~~section 312-3.5, and all moneys designated to be paid to this~~
5 ~~fund pursuant to section 235-102.5(e).~~

6 ~~(b) The fund shall be administered by the state librarian~~
7 ~~who shall, unless otherwise directed by the library advisory~~
8 ~~committee, disburse to each public library, the amount~~
9 ~~commensurate with the moneys received from the library under~~
10 ~~section 312-3.5 over the previous fiscal period. Allocations~~
11 ~~shall be made in quarterly installments within thirty days of~~
12 ~~the end of each calendar quarter.~~

13 ~~(c) Moneys allocated from the libraries special fund to~~
14 ~~the public libraries shall be used to purchase books or other~~
15 ~~library materials. Each public library may post on a bulletin~~
16 ~~board or other appropriate place a list of the purchases made~~
17 ~~from the special fund in the preceding quarter.~~

18 ~~(d) The state librarian shall submit an annual report on~~
19 ~~the status of the libraries special fund, to include information~~
20 ~~regarding:~~

21 ~~(1) Deposits into the fund and the source of these~~
22 ~~revenues;~~



- 1 ~~(2) Allocations to each public library, including~~
- 2 ~~allocations established for both the fiscal year~~
- 3 ~~covered by the annual report and the subsequent fiscal~~
- 4 ~~year;~~
- 5 ~~(3) Descriptions and amounts of expenditures made from the~~
- 6 ~~fund;~~
- 7 ~~(4) Balances remaining on June 30 of each year;~~
- 8 ~~(5) Financial information regarding receipt sources by~~
- 9 ~~individual libraries; and~~
- 10 ~~(6) Actual expenditure of receipts by individual~~
- 11 ~~libraries;~~

12 ~~provided that this report shall be submitted to the legislature~~
13 ~~and to the governor, or the director of finance if so delegated~~
14 ~~by the governor, no later than twenty days prior to the~~
15 ~~convening of each regular session of the legislature.~~

16 ~~[(e)] The state librarian may receive privately donated~~
17 ~~moneys and use such moneys in any of the library system's~~
18 ~~accounts or funds to support the operations of the library~~
19 ~~system, including the payment of staff salaries and expenses~~
20 ~~related to operations of library facilities; provided that the~~
21 ~~donor is advised that the donated moneys may be used for these~~
22 ~~purposes."]~~



1 SECTION 107. Section 312-22, Hawaii Revised Statutes, is
2 repealed.

3 [~~"§312-22 Library fee for enhanced services special fund.~~

4 ~~(a) There is established in the state treasury the library fee~~
5 ~~for enhanced services special fund into which shall be deposited~~
6 ~~all moneys collected pursuant to section 312-21 and any fee~~
7 ~~schedules adopted pursuant thereto.~~

8 ~~(b) The special fund shall be administered by the state~~
9 ~~librarian who, after consultation with the library advisory~~
10 ~~committee, shall determine the annual amount that each public~~
11 ~~library shall receive. Allocations shall be based on the~~
12 ~~balance in the special fund on the first day of each fiscal year~~
13 ~~and made in quarterly installments not more than thirty days~~
14 ~~after the close of each fiscal quarter.~~

15 ~~(c) Moneys allocated from the special fund shall be used~~
16 ~~by each public library to operate its fee for enhanced services~~
17 ~~program. Each library shall post in a conspicuous place a list~~
18 ~~of expenditures made by the library from the special fund during~~
19 ~~the preceding fiscal quarter.~~

20 ~~(d) The state librarian shall submit an annual report on~~
21 ~~the status of the special fund. The report shall include~~
22 ~~information about:~~



- 1 ~~(1) Deposits made into the fund and the source of these~~
- 2 ~~deposits;~~
- 3 ~~(2) Allocations to each public library, including~~
- 4 ~~allocations established for both the fiscal year~~
- 5 ~~covered by the annual report and the subsequent fiscal~~
- 6 ~~year;~~
- 7 ~~(3) Descriptions and amounts of the expenditures made from~~
- 8 ~~the fund;~~
- 9 ~~(4) The balance remaining in the fund on June 30 of each~~
- 10 ~~year;~~
- 11 ~~(5) Financial information regarding receipt sources by~~
- 12 ~~individual libraries; and~~
- 13 ~~(6) Actual expenditure of receipts by individual~~
- 14 ~~libraries.~~

15 ~~The report shall be submitted to the legislature and the~~
16 ~~governor not later than twenty days prior to the convening of~~
17 ~~each regular session."]~~

18 SECTION 108. Section 321-1.3, Hawaii Revised Statutes, is
19 repealed.

20 ~~["§321-1.3 Domestic violence and sexual assault special~~
21 ~~fund. (a) There is established within the state treasury a~~
22 ~~special fund to be known as the domestic violence and sexual~~



1 ~~assault special fund to be administered and expended by the~~
2 ~~department of health.~~

3 ~~(b) The moneys in the special fund shall be reserved for~~
4 ~~use by the department of health for programs and grants or~~
5 ~~purchases of service consistent with chapter 42D that support or~~
6 ~~provide domestic violence and sexual assault intervention or~~
7 ~~prevention as authorized by law. Moneys in the special fund~~
8 ~~shall be used for new or existing programs and shall not~~
9 ~~supplant any other moneys previously allocated to these~~
10 ~~programs.~~

11 ~~(c) Fees remitted pursuant to section 338 14.5, income tax~~
12 ~~remittances allocated under section 235 102.5, interest and~~
13 ~~investment earnings attributable to the moneys in the special~~
14 ~~fund, and grants, donations, and contributions from private or~~
15 ~~public sources for the purposes of the fund, shall be deposited~~
16 ~~into the special fund.~~

17 ~~(d) The department of health shall submit an annual report~~
18 ~~to the legislature no later than twenty days prior to the~~
19 ~~convening of each regular session providing the following:~~

20 ~~(1) An accounting of the receipts of, and expenditures~~
21 ~~from, the special fund; and~~



1 ~~(2) Recommendations on how to improve services for victims~~
2 ~~of domestic violence and sexual assault."]~~

3 SECTION 109. Section 321-1.4, Hawaii Revised Statutes, is
4 repealed.

5 ~~["§321-1.4 Office of health care assurance special fund,~~
6 ~~deposits, expenditures. (a) There is established within the~~
7 ~~department of health, to be administered by the department of~~
8 ~~health, the office of health care assurance special fund into~~
9 ~~which shall be deposited moneys collected under section 321-~~
10 ~~11.5(b) and all administrative penalties imposed and collected~~
11 ~~by the office of health care assurance pursuant to section 321-~~
12 ~~20.~~

13 ~~(b) Moneys in the special fund shall be expended by the~~
14 ~~department of health:~~

15 ~~(1) To assist in offsetting operating costs and~~
16 ~~educational program expenses of the department of~~
17 ~~health's office of health care assurance; and~~

18 ~~(2) For the purpose of enhancing the capacity of office of~~
19 ~~health care assurance programs to:~~

20 ~~(A) Improve public health outreach efforts, program~~
21 ~~and community development, and consultations to~~
22 ~~industries regulated; and~~



1 ~~(B) Educate the public, the staff of the department~~
2 ~~of health, [and] other departments within the~~
3 ~~State, as well as staff and providers of all~~
4 ~~health care facilities and agencies regulated.~~
5 ~~Not more than \$300,000 of the special fund may be used during~~
6 ~~any fiscal year for the activities carried out by the office of~~
7 ~~health care assurance.~~

8 ~~(c) Any amount in the special fund in excess of \$356,000~~
9 ~~on June 30 of each year shall be deposited into the general~~
10 ~~fund.~~

11 ~~(d) The department of health shall submit a report to the~~
12 ~~legislature concerning the status of the special fund, including~~
13 ~~the amount of moneys deposited into and expended from the~~
14 ~~special fund, and the sources of receipts and uses of~~
15 ~~expenditures, no later than twenty days prior to the convening~~
16 ~~of each regular session."]~~

17 SECTION 110. Section 321-1.65, Hawaii Revised Statutes, is
18 repealed.

19 ~~["~~§321-1.65~~ Community health centers special fund. (a)~~
20 ~~There is established within the state treasury a special fund to~~
21 ~~be known as the community health centers special fund to be~~
22 ~~administered and expended by the department of health.~~



1 ~~(b) The moneys in the special fund shall be used by the~~
2 ~~department of health for the operations of federally qualified~~
3 ~~health centers.~~

4 ~~(c) Moneys collected pursuant to section 245-15 shall be~~
5 ~~deposited into the special fund."]~~

6 SECTION 111. Section 321-22.5, Hawaii Revised Statutes, is
7 repealed.

8 ~~["§321-22.5 Trauma system special fund. (a) There is~~
9 ~~established within the state treasury a special fund to be known~~
10 ~~as the trauma system special fund to be administered and~~
11 ~~expended by the department of health. The fund shall consist~~
12 ~~of:~~

- 13 ~~(1) Surcharges collected pursuant to sections 291-15,~~
14 ~~291C-2, and 291E-7;~~
- 15 ~~(2) Cigarette tax revenues designated under section 245-~~
16 ~~15;~~
- 17 ~~(3) Federal funds granted by Congress or executive order~~
18 ~~for the purpose of this chapter; provided that the~~
19 ~~acceptance and use of federal funds shall not commit~~
20 ~~state funds for services and shall not place an~~
21 ~~obligation upon the legislature to continue the~~





1 purpose for which the federal funds are made available;

2

3 (4) Funds appropriated by the legislature for this

4 purpose, including grants in aid,

5 (5) grants, donations, and contributions from private or

6 public sources for the purposes of the trauma system

7 special fund; and

8 (6) interest on and other income from the fund, which

9 shall be separately accounted for.

10 Moneys in the trauma system special fund shall not lapse at

11 the end of the fiscal year. Expenditures from the trauma system

12 special fund shall be exempt from chapters 103D and 103F.

13 (b) The moneys in the trauma system special fund shall be

14 used by the department to support the continuing development and

15 operation of a comprehensive state trauma system. The trauma

16 system special fund shall be used to subsidize the documented

17 costs for the comprehensive state trauma system, including but

18 not limited to the following:

19 (1) costs of under compensated and uncompensated trauma

20 care incurred by hospitals providing care to trauma

21 patients; and

1 ~~(2) Costs incurred by hospitals providing care to trauma~~
2 ~~patients to maintain on call physicians for trauma~~
3 ~~care.~~

4 ~~The money in the trauma system special fund shall not be~~
5 ~~used to supplant funding for trauma services authorized prior to~~
6 ~~July 1, 2006, and shall not be used for ambulance or medical air~~
7 ~~transport services.~~

8 ~~(c) Disbursements from the fund shall be made in~~
9 ~~accordance with a methodology established by the department of~~
10 ~~health to calculate costs incurred by a hospital providing care~~
11 ~~to trauma patients that are eligible to receive reimbursement~~
12 ~~under subsection (d). The methodology shall take into account:~~

13 ~~(1) Physician on call coverage that is demonstrated to be~~
14 ~~essential for trauma services within the hospital;~~

15 ~~(2) Equipment that is demonstrated to be essential for~~
16 ~~trauma services within the hospital;~~

17 ~~(3) The creation of overflow or surge capacity to allow a~~
18 ~~trauma center to respond to mass casualties resulting~~
19 ~~from an act of terrorism or natural disaster; and~~

20 ~~(4) All other hospital services and resources that are~~
21 ~~demonstrated to be essential for trauma services~~
22 ~~within the hospital.~~



1 ~~The department shall adopt rules pursuant to chapter 91 to~~
2 ~~effectuate the purposes of this section.~~

3 ~~(d) To receive reimbursement, a hospital providing care to~~
4 ~~trauma patients shall apply to the trauma system special fund on~~
5 ~~a form and in a manner approved by the department; provided that~~
6 ~~recipients of reimbursements from the trauma system special fund~~
7 ~~shall be subject to the following conditions:~~

8 ~~(1) The recipient of a reimbursement shall:~~

9 ~~(A) Comply with applicable federal, state, and county~~
10 ~~laws;~~

11 ~~(B) Comply with any other requirements the director~~
12 ~~may prescribe;~~

13 ~~(C) Allow the director, the legislative bodies, and~~
14 ~~the state auditor access to records, reports,~~
15 ~~files, and other related documents, to the extent~~
16 ~~permissible under applicable state and federal~~
17 ~~law, so that the program, management, and fiscal~~
18 ~~practices of the recipient may be monitored and~~
19 ~~evaluated to ensure the proper and effective~~
20 ~~expenditure of public funds;~~

21 ~~(D) Provide care to all injured patients regardless~~
22 ~~of their ability to pay; and~~



1 ~~(E) Participate in data collection and peer review~~
2 ~~activities for the purpose of system evaluation~~
3 ~~and improvement of patient care; and~~

4 ~~(2) Every reimbursement shall be monitored according to~~
5 ~~rules established by the director under chapter 91 to~~
6 ~~ensure compliance with this section.~~

7 ~~(c) Necessary administrative expenses to carry out this~~
8 ~~section shall not exceed five per cent of the total amount~~
9 ~~collected in any given year.~~

10 ~~(f) The department shall submit an annual report to the~~
11 ~~legislature no later than twenty days prior to the convening of~~
12 ~~each regular session that outlines the receipts of and~~
13 ~~expenditures from the trauma system special fund.~~

14 ~~(g) For the purposes of this section:~~

15 ~~"Comprehensive state trauma system" means a coordinated~~
16 ~~integrated system providing a spectrum of medical care~~
17 ~~throughout the State designed to reduce death and disability by~~
18 ~~appropriate and timely diagnosis and specialized treatment of~~
19 ~~injuries, which includes hospitals with successive levels of~~
20 ~~advanced capabilities for trauma care in accordance with~~
21 ~~nationally accepted standards established by the American~~
22 ~~College of Surgeons Committee on Trauma.~~



1 ~~"Hospital providing care to trauma patients" means a~~
2 ~~hospital with emergency services that receives and treats~~
3 ~~injured patients.~~

4 ~~"Trauma care" means specialized medical care intended to~~
5 ~~reduce death and disability from injuries.~~

6 ~~"Trauma center" means a facility verified by the American~~
7 ~~College of Surgeons or designated by the department applying~~
8 ~~American College of Surgeons recommendations as guidelines as~~
9 ~~being a level I, level II, level III, or level IV trauma center.~~
10 ~~Level I represents the highest level attainable by a verified~~
11 ~~trauma center, and level IV represents the lowest level~~
12 ~~attainable by a verified trauma center."]~~

13 SECTION 112. Section 321-27, Hawaii Revised Statutes, is
14 repealed.

15 ~~["§321-27 Sanitation and environmental health special~~
16 ~~fund. (a) There is established within the department of health~~
17 ~~the sanitation and environmental health special fund into which~~
18 ~~shall be deposited all moneys collected from fees for permits,~~
19 ~~licenses, inspections, various certificates, variances,~~
20 ~~investigations, and reviews, pursuant to sections 321-11.5(c)~~
21 ~~and 321-15.~~



1 (b) Moneys in the fund shall be expended by the department
2 to partially fund the operating costs of program activities and
3 functions authorized pursuant to section 321.11 to enhance the
4 capacity of sanitation and environmental health programs to:
5 (1) Improve public outreach efforts and consultations to
6 regulated businesses and industries;
7 (2) Educate the public, staff, and regulated businesses
8 and industries;
9 (3) Plan for future growth and expansion to meet emerging
10 needs;
11 (4) Provide training opportunities to ensure the
12 maintenance of professional competence among
13 sanitation and environmental health staff and
14 administrators; and
15 (5) Conduct program activities and functions of the
16 sanitation branch, including permit issuance,
17 inspections, and enforcement and the hiring of
18 additional inspectors;
19 provided that for environmental health programs, not more than
20 \$140,000 of the fund may be used during any fiscal year for fund
21 administration, including the hiring of not more than two full-



1 ~~time equivalent personnel, and the purchase of office and~~
2 ~~electronic equipment.~~

3 ~~(c) Any amount in the fund in excess of \$1,500,000 on~~
4 ~~June 30 of each year shall be deposited into the general fund.~~

5 ~~(d) The department of health shall submit a report to the~~
6 ~~legislature concerning the status of the sanitation and~~
7 ~~environmental health special fund, including:~~

8 ~~(1) The amount of moneys taken in by and expended from the~~
9 ~~fund; and~~

10 ~~(2) The sources of receipts and uses of expenditures,~~
11 ~~not less than twenty days prior to the convening of each regular~~
12 ~~session."]~~

13 SECTION 113. Section 321-234, Hawaii Revised Statutes, is
14 repealed.

15 [~~§321-234 Emergency medical services special fund. (a)~~
16 ~~There is established within the state treasury a special fund to~~
17 ~~be known as the emergency medical services special fund to be~~
18 ~~administered and expended by the department.~~

19 ~~(b) The moneys in the special fund shall be used by the~~
20 ~~department for operating a state comprehensive emergency medical~~
21 ~~services system including enhanced and expanded services, and~~



1 ~~shall not be used to supplant funding for emergency medical~~
2 ~~services authorized prior to [July 1, 2004].~~

3 ~~(c) Fees remitted pursuant to section 249-31, cigarette~~
4 ~~tax revenues designated under section 245-15, interest and~~
5 ~~investment earnings attributable to the moneys in the special~~
6 ~~fund, legislative appropriations, and grants, donations, and~~
7 ~~contributions from private or public sources for the purposes of~~
8 ~~the fund, shall be deposited into the special fund.~~

9 ~~(d) The department shall submit an annual report to the~~
10 ~~legislature no later than twenty days prior to the convening of~~
11 ~~each regular session that outlines the receipts of, and~~
12 ~~expenditures from, the special fund."]~~

13 SECTION 114. Section 321-355, Hawaii Revised Statutes, is
14 repealed.

15 ~~["§321-355] Early intervention special fund. (a) There~~
16 ~~is established in the state treasury a special fund to be known~~
17 ~~as the early intervention special fund to be administered by the~~
18 ~~department in accordance with this section.~~

19 ~~(b) The fund shall consist of grants and income earned by~~
20 ~~the special fund. Notwithstanding section 29-24, all program~~
21 ~~income consisting of federal reimbursement funds received by the~~
22 ~~State for early intervention funded by legislative~~



1 ~~appropriations under this part shall be deposited into the~~
2 ~~special fund; provided that no state appropriations shall be~~
3 ~~deposited into the special fund."]~~

4 SECTION 115. Section 321-426, Hawaii Revised Statutes, is
5 repealed.

6 [~~"§321-426 Birth defects special fund. There is~~
7 ~~established within the state treasury the birth defects special~~
8 ~~fund to be administered and expended by the department of~~
9 ~~health, into which shall be deposited fees remitted pursuant to~~
10 ~~section 572-5. Moneys in the special fund shall be used for the~~
11 ~~payment of the operating expenses of the birth defects~~
12 ~~program."]~~

13 SECTION 116. Chapter 321, part XXXV, Hawaii Revised
14 Statutes, is repealed.

15 SECTION 117. Section 321H-4, Hawaii Revised Statutes, is
16 repealed.

17 [~~"§321H-4 Neurotrauma special fund. (a) There is~~
18 ~~established the neurotrauma special fund to be administered by~~
19 ~~the department with advisory recommendations from the~~
20 ~~neurotrauma advisory board. The fund shall consist of:~~



- 1 ~~(1) Moneys raised pursuant to the surcharges levied under~~
2 ~~sections 291-11.5, 291-11.6, 291C-12, 291C-12.5, 291C-~~
3 ~~12.6, 291C-102, 291C-105, and 291E-61;~~
- 4 ~~(2) Federal funds granted by Congress or executive order,~~
5 ~~for the purpose of this chapter; provided that the~~
6 ~~acceptance and use of federal funds shall not commit~~
7 ~~state funds for services and shall not place an~~
8 ~~obligation upon the legislature to continue the~~
9 ~~purpose for which the federal funds are made~~
10 ~~available; and~~
- 11 ~~(3) Funds appropriated by the legislature for the purpose~~
12 ~~of this chapter.~~
- 13 ~~(b) The fund shall be used for the purpose of funding and~~
14 ~~contracting for services relating to neurotrauma as follows:~~
- 15 ~~(1) Education on neurotrauma;~~
16 ~~(2) Assistance to individuals and families to identify and~~
17 ~~obtain access to services;~~
- 18 ~~(3) Creation of a registry of neurotrauma injuries within~~
19 ~~the State to identify incidence, prevalence,~~
20 ~~individual needs, and related information; and~~



1 ~~(4) Necessary administrative expenses to carry out this~~
2 ~~chapter not to exceed two per cent of the total amount~~
3 ~~collected.~~

4 ~~(c) Moneys in the neurotrauma special fund may be~~
5 ~~appropriated to obtain federal and private grant matching funds,~~
6 ~~subject to section 321H-4(a)(2).~~

7 ~~(d) In administering the fund, the director shall maintain~~
8 ~~records of all expenditures and disbursements made from the~~
9 ~~neurotrauma special fund.~~

10 ~~(e) The director shall submit to the legislature an annual~~
11 ~~report on the activities under the neurotrauma special fund no~~
12 ~~later than twenty days prior to the convening of each regular~~
13 ~~session."]~~

14 SECTION 118. Section 323D-12.6, Hawaii Revised Statutes,
15 is repealed.

16 ~~["§323D-12.6] State health planning and development~~
17 ~~special fund; created; deposits; expenditures; fees. (a) There~~
18 ~~is established within the state treasury, to be administered by~~
19 ~~the state health planning and development agency, the state~~
20 ~~health planning and development special fund into which shall be~~
21 ~~deposited all moneys collected under chapter 323D.~~



1 ~~(b) Moneys in the special fund shall be expended by the~~
2 ~~state health planning and development agency to assist in~~
3 ~~offsetting program expenses of the agency.~~

4 ~~(c) The agency shall adopt rules in accordance with~~
5 ~~chapter 91 to establish reasonable fees for the purposes of this~~
6 ~~chapter."]~~

7 SECTION 119. Section 327-24, Hawaii Revised Statutes, is
8 repealed.

9 ~~["§327-24] Hawaii organ and tissue education special~~
10 ~~fund. There is established in the state treasury the Hawaii~~
11 ~~organ and tissue education special fund. Moneys collected under~~
12 ~~section 286-109.7 shall be deposited into the fund. The fund~~
13 ~~shall be administered and distributed by the department of~~
14 ~~health and shall be used exclusively for public education~~
15 ~~programs and activities on organ, tissue, and eye donation."]~~

16 SECTION 120. Section 328L-2, Hawaii Revised Statutes, is
17 repealed.

18 ~~["§328L-2 Hawaii tobacco settlement special fund. (a)~~
19 ~~There is established in the state treasury the Hawaii tobacco~~
20 ~~settlement special fund into which shall be deposited:~~

21 ~~(1) All tobacco settlement moneys, and~~



1 ~~(2) All interest and earnings accruing from the investment~~
2 ~~of moneys in the fund,~~
3 ~~provided that of all tobacco settlement moneys received by the~~
4 ~~State each fiscal year, the sum representing the first \$350,000~~
5 ~~of those moneys shall first be deposited in the state treasury~~
6 ~~in each fiscal year to the credit of the tobacco enforcement~~
7 ~~special fund. The Hawaii tobacco settlement special fund shall~~
8 ~~be administered by the department.~~

9 ~~(b) The fund shall be used for the purpose of receiving,~~
10 ~~allocating, and appropriating the tobacco settlement moneys as~~
11 ~~follows:~~

12 ~~(1) Fifteen per cent shall be appropriated into the~~
13 ~~emergency and budget reserve fund under section 328L-~~
14 ~~3;~~

15 ~~(2) Twenty five per cent shall be appropriated to the~~
16 ~~department for purposes of section 328L-4;~~

17 ~~(3) Six and one half per cent shall be appropriated into~~
18 ~~the Hawaii tobacco prevention and control trust fund~~
19 ~~under section 328L-5; and~~

20 ~~(4) Twenty eight per cent shall be appropriated into the~~
21 ~~university revenue undertakings fund created in~~
22 ~~section 304A-2167.5 to be applied to the payment of~~



1 ~~the principal of and interest on, and to generate~~
2 ~~required coverage, if any, for, revenue bonds issued~~
3 ~~by the board of regents of the University of Hawaii to~~
4 ~~finance the cost of construction of a university~~
5 ~~health and wellness center, including a new medical~~
6 ~~school facility, to be situated on the island of Oahu,~~
7 ~~for the succeeding fiscal year; and the payment of~~
8 ~~annual operating expenses incurred by the new medical~~
9 ~~school facility; provided that any moneys in excess of~~
10 ~~the amounts required under this paragraph shall be~~
11 ~~transferred in the succeeding fiscal year to the~~
12 ~~emergency and budget reserve fund under section 328L-~~
13 ~~3; and~~

14 ~~(5) Twenty five and one half per cent shall be deposited~~
15 ~~to the credit of the state general fund."]~~

16 SECTION 121. Section 334-15, Hawaii Revised Statutes, is
17 repealed.

18 ~~["§334-15 Mental health and substance abuse special fund,~~
19 ~~established. (a) There is established a special fund to be~~
20 ~~known as the mental health and substance abuse special fund into~~
21 ~~which shall be deposited all revenues and other moneys collected~~
22 ~~from certification programs and treatment services rendered by~~



1 ~~the mental health and substance abuse programs operated by the~~
2 ~~State. Notwithstanding any other law to the contrary, the~~
3 ~~department is authorized to establish separate accounts within~~
4 ~~the special fund for depositing moneys received from~~
5 ~~certification programs and from each mental health and substance~~
6 ~~abuse program. Moneys deposited into the respective accounts of~~
7 ~~each program shall be used for the payment of the operating~~
8 ~~expenses of the respective program.~~

9 ~~(b) The director shall submit a report to the legislature,~~
10 ~~not later than twenty days prior to the convening of each~~
11 ~~regular session, which identifies for each account in the~~
12 ~~special fund, the account balance and ceiling increase, any~~
13 ~~transfers and expenditures made, and the purposes of the~~
14 ~~expenditures."]~~

15 SECTION 122. Section 338-14.6, Hawaii Revised Statutes, is
16 repealed.

17 [~~"§338-14.6 Vital statistics improvement special fund.~~

18 ~~(a) There is established within the state treasury a special~~
19 ~~fund to be known as the vital statistics improvement special~~
20 ~~fund. The fund shall be administered and expended by the~~
21 ~~department of health.~~



1 ~~(b) Moneys in the fund shall be used by the department of~~
2 ~~health for the modernization and automation of the vital~~
3 ~~statistics system in this State. Moneys in the fund may be used~~
4 ~~to assist in offsetting costs for the daily operations of the~~
5 ~~system of vital statistics.~~

6 ~~(c) The fund shall consist of fees remitted pursuant to~~
7 ~~section 338-14.5. All realizations of the fund shall be subject~~
8 ~~to the conditions specified in subsection (b)."]~~

9 SECTION 123. Section 340B-3.5, Hawaii Revised Statutes, is
10 repealed.

11 ~~["~~§340B-3.5~~ Wastewater treatment certification board~~
12 ~~special fund. (a) There is established in the state treasury a~~
13 ~~special fund to be known as the wastewater treatment~~
14 ~~certification board special fund. The following moneys~~
15 ~~collected by the board shall be deposited into the special fund:~~

- 16 ~~(1) Registration fees for examinations;~~
17 ~~(2) Renewal fees;~~
18 ~~(3) Reciprocity fees; and~~
19 ~~(4) Temporary certificates fees.~~

20 ~~All interest earned or accrued on moneys deposited into the~~
21 ~~special fund shall become a part of the special fund.~~



1 ~~(b) All moneys paid into the special fund shall be~~
2 ~~expended by the board to finance its operations."~~]

3 SECTION 124. Section 342B-32, Hawaii Revised Statutes, is
4 repealed.

5 ~~"[§342B-32] Clean air special fund. (a) There is~~
6 ~~created in the state treasury a special fund to be designated as~~
7 ~~the clean air special fund. The proceeds in the fund shall be~~
8 ~~used solely to pay for all reasonable direct and indirect costs~~
9 ~~required to develop, support, and administer the permit program~~
10 ~~requirements of this chapter including reasonable costs of:~~

- 11 ~~(1) Reviewing and acting upon any application for or~~
12 ~~renewal of a permit;~~
- 13 ~~(2) Implementing and enforcing the terms and conditions of~~
14 ~~any permit, including legal support as defined by~~
15 ~~rules;~~
- 16 ~~(3) Monitoring emissions and ambient air quality including~~
17 ~~resources to audit and inspect source-operated~~
18 ~~monitoring requirements at least once a year;~~
- 19 ~~(4) Preparing generally applicable rules or guidelines;~~
- 20 ~~(5) Performing or reviewing modeling, analyses, and~~
21 ~~demonstrations;~~
- 22 ~~(6) Preparing emissions inventories and tracking systems;~~



1 ~~(7) Providing support to the small business assistance~~
2 ~~program; and~~

3 ~~(8) Administering the fund.~~

4 ~~(b) All moneys collected as fees pursuant to section 342B-~~
5 ~~29 shall be deposited into the clean air special fund. All~~
6 ~~interest earned or accrued on moneys deposited in the fund shall~~
7 ~~become a part of the fund."]~~

8 SECTION 125. Section 342G-63, Hawaii Revised Statutes, is
9 repealed.

10 ~~["§342G-63 Establishment of the environmental management~~
11 ~~special fund. (a) There is created in the state treasury an~~
12 ~~environmental management special fund. The fund may receive~~
13 ~~legislative appropriations, grants and gifts.~~

14 ~~(b) All moneys collected pursuant to section 342G-62 shall~~
15 ~~be deposited into the environmental management special fund.~~
16 ~~All interest earned or accrued on moneys deposited into the fund~~
17 ~~shall become a part of the fund.~~

18 ~~(c) The department shall expend moneys contained in the~~
19 ~~environmental management special fund to:~~

20 ~~(1) Partially fund the operating costs of the program~~
21 ~~including its regulatory functions and the development~~



1 ~~of waste reduction and diversion activities as~~
2 ~~mandated by chapter 342G;~~

- 3 ~~(2) Fund statewide education, demonstration, and market~~
4 ~~development programs, through direct contract or~~
5 ~~direct transfer of funds to the counties and the~~
6 ~~department of business, economic development, and~~
7 ~~tourism, or under a grant program that may be~~
8 ~~developed under rules pursuant to chapter 91; and~~
- 9 ~~(3) Provide for annual training for municipal solid waste~~
10 ~~operators in compliance with 40 Code of Federal~~
11 ~~Regulations Part 258 and chapter 11-58, Hawaii~~
12 ~~Administrative Rules."]~~

13 SECTION 126. Section 342P-7, Hawaii Revised Statutes, is
14 repealed.

15 ~~["§342P-7] Noise, radiation, and indoor air quality~~
16 ~~special fund; established. (a) There is established within the~~
17 ~~department of health a noise, radiation, and indoor air quality~~
18 ~~special fund into which shall be deposited all moneys collected~~
19 ~~from fees for permits, licenses, inspections, certificates,~~
20 ~~notifications, variances, investigations, and review, pursuant~~
21 ~~to sections 342F-14, 342P-28, 466J-4, and 466J-5.~~



- 1 ~~(b) Moneys in the fund shall be expended by the department~~
2 ~~to:~~
- 3 ~~(1) Partially fund the operating costs of the program~~
4 ~~mandated activities and functions;~~
- 5 ~~(2) Fund statewide education, demonstration, and outreach~~
6 ~~programs;~~
- 7 ~~(3) Provide training opportunities to ensure the~~
8 ~~maintenance of professional competence among staff and~~
9 ~~administrators; and~~
- 10 ~~(4) Plan for future growth and expansion to meet emerging~~
11 ~~needs."]~~

12 SECTION 127. Section 342P-8, Hawaii Revised Statutes, is
13 repealed.

14 ~~["§342P-8 Asbestos and lead abatement special fund.](a)~~
15 ~~There is established within the department of health an asbestos~~
16 ~~and lead abatement special fund into which shall be deposited~~
17 ~~all moneys collected from fees for permits, licenses,~~
18 ~~inspections, certificates, notifications, variances,~~
19 ~~investigations, and reviews.~~

20 ~~(b) Moneys in the asbestos and lead abatement special fund~~
21 ~~shall be expended by the department to:~~



- 1 ~~(1) Partially fund the operating costs of the asbestos and~~
- 2 ~~lead abatement program's mandated activities and~~
- 3 ~~functions;~~
- 4 ~~(2) Fund statewide education, demonstration, and outreach~~
- 5 ~~programs;~~
- 6 ~~(3) Provide for the accreditation of training programs;~~
- 7 ~~(4) Provide training opportunities to ensure the~~
- 8 ~~maintenance of professional competence among staff and~~
- 9 ~~administrators; and~~
- 10 ~~(5) Plan for future growth and expansion to meet emerging~~
- 11 ~~needs."]~~

12 SECTION 128. Section 346-7.5, Hawaii Revised Statutes, is
13 repealed.

14 ~~["§346-7.5 Spouse and child abuse special account,~~
15 ~~department of human services. (a) There is established within~~
16 ~~the state treasury a special fund to be known as the "spouse and~~
17 ~~child abuse special account", and to be administered and~~
18 ~~expended by the department of human services.~~

19 ~~(b) The proceeds of the account shall be reserved for use~~
20 ~~by the department of human services for staff programs, and~~
21 ~~grants or purchases of service, consistent with chapters 42F and~~
22 ~~103F, that support or provide spouse or child abuse intervention~~



1 ~~or prevention as authorized by law. These proceeds shall be~~
2 ~~used for new or existing programs and shall not supplant any~~
3 ~~other funds previously allocated to these programs. The account~~
4 ~~shall be kept separate and apart from all other funds in the~~
5 ~~treasury.~~

6 ~~(c) The account shall consist of fees remitted pursuant to~~
7 ~~sections 338-14.5 and 572-5, income tax remittances allocated~~
8 ~~under section 235-102.5, interest and investment earnings,~~
9 ~~grants, donations, and contributions from private or public~~
10 ~~sources. All realizations of the account shall be subject to~~
11 ~~the conditions specified in subsection (b).~~

12 ~~(d) The department of human services, in coordination with~~
13 ~~the department of health, shall submit an annual report to the~~
14 ~~legislature, prior to the convening of each regular session,~~
15 ~~providing an accounting of the receipts of and expenditures from~~
16 ~~the account."]~~

17 SECTION 129. Section 346-318, Hawaii Revised Statutes, is
18 repealed.

19 [~~"§346-318 Rx plus special fund. (a) There is~~
20 ~~established within the state treasury, to be administered by the~~
21 ~~department, the Rx plus special fund into which shall be~~
22 ~~deposited.~~



- 1 ~~(1) All moneys received from manufacturers and labelers~~
- 2 ~~who pay rebates as provided in section 346-314;~~
- 3 ~~(2) Appropriations made by the legislature to the fund;~~
- 4 ~~and~~
- 5 ~~(3) Any other revenues designated for the fund.~~

6 ~~(b) Moneys in the Rx plus special fund shall be used for~~
7 ~~the following purposes:~~

- 8 ~~(1) Reimbursement payments to participating pharmacies for~~
- 9 ~~discounts provided to program participants;~~
- 10 ~~(2) The cost of administering the Rx plus program,~~
- 11 ~~including salary and benefits of employees, computer~~
- 12 ~~costs, and contracted services as provided in section~~
- 13 ~~346-312; and~~
- 14 ~~(3) Any other purpose deemed necessary by the department~~
- 15 ~~for the purpose of operating and administering the Rx~~
- 16 ~~plus program.~~

17 ~~All interest on special fund balances shall accrue to the~~
18 ~~special fund. Upon dissolution of the Rx plus special fund, any~~
19 ~~unencumbered moneys in the fund shall lapse to the credit of the~~
20 ~~general fund."]~~

21 SECTION 130. Section 346-345, Hawaii Revised Statutes, is
22 repealed.



1 ~~["§346-345] Special fund. (a) There is established~~
2 ~~within the state treasury to be administered by the department,~~
3 ~~the state pharmacy assistance program special fund, into which~~
4 ~~shall be deposited.~~

- 5 ~~(1) All moneys received from manufacturers that pay~~
6 ~~rebates as provided in section 346-342(g);~~
7 ~~(2) Appropriations made by the legislature to the fund;~~
8 ~~and~~
9 ~~(3) Any other revenues designated for the fund.~~

10 ~~(b) Moneys in the state pharmacy assistance program~~
11 ~~special fund may be used for:~~

- 12 ~~(1) Reimbursement payments to participating pharmacies for~~
13 ~~co-payments required under the federal medicare part D~~
14 ~~pharmacy benefit program as provided to state pharmacy~~
15 ~~assistance program participants;~~
16 ~~(2) The costs of administering the state pharmacy~~
17 ~~assistance program, including salary and benefits of~~
18 ~~employees, computer costs, and contracted services as~~
19 ~~provided in section 346-342(d); and~~
20 ~~(3) Any other purpose deemed necessary by the department~~
21 ~~for the purpose of operating and administering the~~
22 ~~state pharmacy [assistance] program.~~



1 ~~All interest on special fund balances shall accrue to the~~
2 ~~special fund. Upon dissolution of the state pharmacy assistance~~
3 ~~program special fund, any unencumbered moneys in the fund shall~~
4 ~~lapse to the general fund.~~

5 ~~(c) The department shall expend all revenues received from~~
6 ~~rebates paid by pharmaceutical manufacturers pursuant to section~~
7 ~~346-342(g) to pay for the benefits to enrollees in the state~~
8 ~~pharmacy assistance program, the costs of administering the~~
9 ~~program, and reimbursement of medicaid pharmaceutical costs."]~~

10 SECTION 131. Section 346-377, Hawaii Revised Statutes, is
11 repealed.

12 ~~["§346-377] Housing first special fund. (a) There is~~
13 ~~established in the state treasury the housing first special~~
14 ~~fund, into which shall be deposited:~~

- 15 ~~(1) Appropriations by the legislature to the special fund,~~
16 ~~and~~
17 ~~(2) Gifts, donations, and grants from public agencies and~~
18 ~~private persons.~~

19 ~~Each county may provide matching funds, which shall also be~~
20 ~~deposited into the housing first special fund.~~

21 ~~(b) Moneys in the housing first special fund shall be~~
22 ~~administered and expended by the department of human services~~



1 ~~and shall be used to provide housing first programs and~~
2 ~~services."~~]

3 SECTION 132. Section 348F-7, Hawaii Revised Statutes, is
4 repealed.

5 [~~"§348F-7 Disability and communication access board~~
6 ~~special fund.~~ (a) ~~There is established the disability and~~
7 ~~communication access board special fund to be administered by~~
8 ~~the disability and communication access board. All moneys~~
9 ~~received by the disability and communication access board as~~
10 ~~application fees for credentialing of interpreters shall be~~
11 ~~deposited into the special fund. All interest earned or accrued~~
12 ~~on moneys deposited into this special fund shall become part of~~
13 ~~the special fund.~~

14 (b) ~~Moneys in the disability and communication access~~
15 ~~board special fund shall be expended to cover all costs of~~
16 ~~administering this chapter including the costs of administering~~
17 ~~the program for the state credentialing of interpreters."~~]

18 SECTION 133. Section 351-62.5, Hawaii Revised Statutes, is
19 repealed.

20 [~~"§351-62.5 Crime victim compensation special fund, when~~
21 ~~payments authorized.~~ (a) ~~There is established a crime victim~~
22 ~~compensation special fund from which the commission may make~~



1 ~~payments as provided in subsection (b). The fund shall be~~
2 ~~administered by the director of public safety for purposes of~~
3 ~~this chapter. Interest and investment earnings credited to the~~
4 ~~assets of the fund shall become part of the fund. Any balance~~
5 ~~remaining in the fund at the end of any fiscal year shall be~~
6 ~~carried forward for the next fiscal year.~~

7 ~~(b) Where the commission has made an award pursuant to~~
8 ~~this chapter, the commission shall make the payments to or on~~
9 ~~behalf of the victim or one or more of the dependents of a~~
10 ~~deceased victim, or to or for the benefit of other persons who~~
11 ~~have suffered pecuniary loss or incurred expenses on account of~~
12 ~~hospital, medical, funeral, or burial expenses as a result of~~
13 ~~the victim's injury or death. Victims or dependents entitled to~~
14 ~~receive awards shall be notified of the option to have payments~~
15 ~~made on their behalf to other designated persons. Payments made~~
16 ~~pursuant to this section shall not exceed the total amount of~~
17 ~~the award.~~

18 ~~(c) The amount appropriated under section 351-70 shall be~~
19 ~~redeposited into the fund and applied to other payments as~~
20 ~~authorized by the commission.~~

21 ~~(d) Funds received pursuant to section 354D-12(b)(1) and~~
22 ~~amounts received pursuant to sections 351-35, 351-62.6, 351-63,~~



1 ~~706 605, and 853 1 shall be deposited into the crime victim~~
 2 ~~compensation special fund. Moneys received shall be used for~~
 3 ~~compensation payments, operating expenses, salaries of positions~~
 4 ~~as authorized by the legislature, and collection of fees. The~~
 5 ~~commission may enter into memorandums of agreement with the~~
 6 ~~judiciary for the collection of fees by the judiciary, provided~~
 7 ~~that no funds shall be deposited by the judiciary into the crime~~
 8 ~~victim compensation special fund until collected."]~~

9 SECTION 134. Section 353C-7, Hawaii Revised Statutes, is
 10 repealed.

11 ~~[" §353C 7] Federal reimbursement maximization special~~
 12 ~~fund. (a) There is established in the state treasury the~~
 13 ~~federal reimbursement maximization special fund, into which~~
 14 ~~shall be deposited all federal reimbursements received by the~~
 15 ~~department relating to the State Criminal Alien Assistance~~
 16 ~~Program. Unless otherwise provided by law, all other receipts~~
 17 ~~shall immediately be deposited to the credit of the general fund~~
 18 ~~of the State.~~

19 ~~(b) Moneys in the federal reimbursement maximization~~
 20 ~~special fund shall be used by the department to meet the state~~
 21 ~~match requirement for federal grants and costs associated with~~
 22 ~~federal grant reporting requirements, including administrative~~



1 ~~expenses such as the creation and hiring of temporary staff, and~~
2 ~~for any other purpose deemed necessary by the department for~~
3 ~~maintaining existing federal grants as well as pursuing federal~~
4 ~~grants.~~

5 ~~(c) The department shall prepare and submit an annual~~
6 ~~report on the status of the federal reimbursement maximization~~
7 ~~special fund to the legislature no later than twenty days before~~
8 ~~the convening of each regular session. The annual report shall~~
9 ~~include but not be limited to a description of the use of the~~
10 ~~funds."]~~

11 SECTION 135. Section 356D-28, Hawaii Revised Statutes, is
12 repealed.

13 ~~["§356D-28] Public housing revolving fund; housing~~
14 ~~project bond special funds. (a) There is established the~~
15 ~~public housing revolving fund to be administered by the~~
16 ~~authority. Notwithstanding section 36-21, the proceeds in the~~
17 ~~fund shall be used for long term and other special financings of~~
18 ~~the authority and for necessary expenses in administering this~~
19 ~~chapter.~~

20 ~~(b) All moneys received and collected by the authority,~~
21 ~~not otherwise pledged, obligated, or required by law to be~~



1 ~~placed in any other special fund, shall be deposited into the~~
2 ~~public housing revolving fund.~~

3 ~~(c) A separate special fund shall be established for each~~
4 ~~public housing project or projects financed from the proceeds of~~
5 ~~bonds secured under the trust indenture. Each fund shall be~~
6 ~~designated "housing project bond special fund" and shall bear~~
7 ~~any additional designation as the authority deems appropriate to~~
8 ~~properly identify the fund.~~

9 ~~(d) Notwithstanding any other law to the contrary, all~~
10 ~~revenues, income, and receipts derived from a public housing~~
11 ~~project or projects financed from the proceeds of bonds or~~
12 ~~pledged to the payment of principal of and interest and premium~~
13 ~~on bonds, shall be paid into the housing project bond special~~
14 ~~fund established for the public housing project or projects and~~
15 ~~applied as provided in the proceedings authorizing the issuance~~
16 ~~of bonds."]~~

17 SECTION 136. Section 383-121, Hawaii Revised Statutes, is
18 repealed.

19 ~~["§383-121 Unemployment compensation fund; establishment~~
20 ~~and control. There is established in the treasury of the State~~
21 ~~as a special fund, separate and apart from all public moneys or~~
22 ~~funds of the State, an unemployment compensation fund, which~~



1 ~~shall be administered by the department of labor and industrial~~
2 ~~relations exclusively for the purposes of this chapter. All~~
3 ~~contributions pursuant to this chapter shall be paid into the~~
4 ~~fund and all compensation and benefits payable pursuant to this~~
5 ~~chapter shall be paid from the fund. All moneys in the fund~~
6 ~~shall be mingled and undivided. The fund shall consist of:~~

- 7 ~~(1) All contributions collected pursuant to this chapter;~~
8 ~~(2) Interest earned on any moneys in the fund;~~
9 ~~(3) Any property or securities acquired through the use of~~
10 ~~moneys belonging to the fund;~~
11 ~~(4) All earnings of such property or securities;~~
12 ~~(5) All moneys credited to this State's account in the~~
13 ~~unemployment trust fund pursuant to section 903 of the~~
14 ~~Social Security Act, as amended; and~~
15 ~~(6) All other moneys received for the fund from any other~~
16 ~~source."]~~

17 SECTION 137. Section 383-127, Hawaii Revised Statutes, is
18 repealed.

19 ~~["§383-127] Special unemployment insurance administration~~
20 ~~fund. (a) There is created in the state treasury a special~~
21 ~~fund to be known as the special unemployment insurance~~
22 ~~administration fund. All interest, fines, and penalties~~



1 ~~collected under this chapter on and after October 1, 1987, shall~~
2 ~~be paid into this fund and shall not be commingled with other~~
3 ~~state funds but maintained in a separate account on the books of~~
4 ~~the depository. Interest earned upon moneys in the~~
5 ~~administration fund shall be deposited and credited to the~~
6 ~~administration fund.~~

7 ~~All moneys payable to the administration fund shall be~~
8 ~~transferred immediately into the administration fund from the~~
9 ~~clearing account of the unemployment compensation fund. The~~
10 ~~director of finance shall be the treasurer and custodian of the~~
11 ~~administration fund and shall administer the fund in accordance~~
12 ~~with directions by the director of labor and industrial~~
13 ~~relations. The director of finance shall be liable on the~~
14 ~~director's official bond for the faithful performance of all~~
15 ~~duties in connection with the administration fund. All sums~~
16 ~~recovered on such surety bond for losses sustained by the~~
17 ~~administration fund shall be deposited into the fund.~~

18 ~~(b) Notwithstanding any other provisions of this section~~
19 ~~to the contrary, the moneys in the administration fund shall be~~
20 ~~used for the payment of the following expenses and obligations~~
21 ~~relating to the administration of the unemployment insurance~~
22 ~~program.~~



- 1 ~~(1) Refunds or adjustments of interest on delinquent~~
2 ~~contributions and penalties or fines erroneously~~
3 ~~collected under this chapter;~~
- 4 ~~(2) Expenses for which allocation of federal funds have~~
5 ~~been duly requested but not yet received, subject to~~
6 ~~the reimbursement of the expenditures against the~~
7 ~~funds received;~~
- 8 ~~(3) Expenditures deemed necessary by the director in the~~
9 ~~administration of this chapter for which no~~
10 ~~allocations of federal administration funds have been~~
11 ~~made; and~~
- 12 ~~(4) Interest due under the provisions of section 1202(b)~~
13 ~~of the Social Security Act, as amended, for advances~~
14 ~~made to the unemployment compensation fund.~~
- 15 ~~(c) No moneys in the administration fund shall be expended~~
16 ~~for any purpose for which federal funds would otherwise be~~
17 ~~available.~~
- 18 ~~(d) All expenditures from the administration fund, except~~
19 ~~for refunds of penalties and interest erroneously collected,~~
20 ~~shall be approved by the director.~~
- 21 ~~(e) All moneys deposited or paid into the administration~~
22 ~~fund shall be continuously available to the director for~~



1 ~~expenditures consistent with this section and shall not lapse at~~
2 ~~any time. The director may transfer moneys deposited in the~~
3 ~~administration fund to the unemployment compensation fund as the~~
4 ~~director deems necessary.~~

5 ~~(f) Twenty days before the convening of the legislature in~~
6 ~~regular session each year, the director shall submit a report to~~
7 ~~the legislature on the financial status of the special~~
8 ~~unemployment insurance administration fund."]~~

9 SECTION 138. Section 383-128, Hawaii Revised Statutes, is
10 repealed.

11 [~~"§383-128 Employment and training fund established. (a)~~
12 ~~Effective January 1, 1992, there is established in the state~~
13 ~~treasury, apart from all other funds in this State, a special~~
14 ~~fund to be known as the employment and training fund. All~~
15 ~~assessments collected pursuant to section 383-129 and all other~~
16 ~~moneys received by the fund from any other source shall be~~
17 ~~deposited into the employment and training fund.~~

18 ~~(b) The moneys in the employment and training fund may be~~
19 ~~used for funding.~~

20 ~~(1) The operation of the state employment service for~~
21 ~~which no federal funds have been allocated;~~



- 1 ~~(2) Business specific training programs to create a more~~
2 ~~diversified job base and to carry out the purposes of~~
3 ~~the new industry training program pursuant to section~~
4 ~~394-8;~~
- 5 ~~(3) Industry or employer specific training programs where~~
6 ~~there are critical skill shortages in high growth~~
7 ~~occupational or industry areas;~~
- 8 ~~(4) Training and retraining programs to assist workers who~~
9 ~~have become recently unemployed or likely to be~~
10 ~~unemployed;~~
- 11 ~~(5) Programs to assist residents who do not otherwise~~
12 ~~qualify for federal or state job training programs to~~
13 ~~overcome employment barriers; and~~
- 14 ~~(6) Training programs to provide job specific skills for~~
15 ~~individuals in need of assistance to improve career~~
16 ~~employment prospects.~~
- 17 ~~(c) The director shall require employers who use or who~~
18 ~~are assisted by any of these programs to contribute fifty per~~
19 ~~cent of the cost of the assistance in cash or in kind~~
20 ~~contributions.~~
- 21 ~~(d) The department may contract for employment, education,~~
22 ~~and training services from public and private agencies and~~



1 ~~nonprofit corporations. Contracts, pursuant to subsection (b),~~
2 ~~shall be exempt from chapter 103F so funds for these services~~
3 ~~may be expended in a timely manner to effectuate the purposes of~~
4 ~~this section. All other disbursements shall be in accordance~~
5 ~~with chapters 103D and 103F.~~

6 ~~(c) The department shall ensure the proper administration~~
7 ~~of the employment and training fund program by:~~

8 ~~(1) Standardizing contractual language and requirements~~
9 ~~for all grantees and vendors;~~

10 ~~(2) Expediting the program's macro grant application~~
11 ~~process by either eliminating the county advisory~~
12 ~~committees' review or by formalizing, defining, and~~
13 ~~including specific time frames related to these~~
14 ~~committees;~~

15 ~~(3) Providing evidence that grant applications are treated~~
16 ~~in accordance with fund policies by documenting the~~
17 ~~reasons for acceptance and denial of each proposed~~
18 ~~grant;~~

19 ~~(4) Improving the program's monitoring of funds disbursed~~
20 ~~by, at a minimum:~~

21 ~~(A) Establishing and implementing an organized filing~~
22 ~~system;~~



- 1 ~~(B) Requiring documentation of all contact made with~~
- 2 ~~grant applicants and recipients; and~~
- 3 ~~(C) Ensuring that staff in all branch offices are~~
- 4 ~~familiar with the various reports and submittals~~
- 5 ~~required of the different fund recipients;~~
- 6 ~~(5) Developing and disseminating the state participant~~
- 7 ~~evaluation form to the program's vendors;~~
- 8 ~~(6) Developing and implementing strategies for evaluating~~
- 9 ~~the program's overall success that include but are~~
- 10 ~~limited to:~~
- 11 ~~(A) Assessing whether the program is improving the~~
- 12 ~~long term employability of Hawaii's people;~~
- 13 ~~(B) Measuring program outcomes related to work unit~~
- 14 ~~and company performance; and~~
- 15 ~~(C) Collecting and comparing wage data from workers~~
- 16 ~~who have utilized the fund versus those who have~~
- 17 ~~not;~~
- 18 ~~(7) Increasing awareness of the fund and its programs by~~
- 19 ~~strengthening publicity;~~
- 20 ~~(8) Establishing consistent attendance reporting~~
- 21 ~~requirements for both macro grant projects and micro~~
- 22 ~~vendors and comparing attendance rates for projects~~



1 ~~and vendors who charge additional fees to participants~~
2 ~~versus those who do not, and~~

3 ~~(9) Reporting as encumbrances only those obligations for~~
4 ~~which the fund has entered into bona fide contracts.~~

5 ~~(f) For purposes of grants and subsidies awarded under~~
6 ~~subsection (d), any organization requesting a grant or subsidy~~
7 ~~shall:~~

8 ~~(1) Be licensed and accredited, as applicable, under the~~
9 ~~laws of the State;~~

10 ~~(2) Have at least one year's experience with the project~~
11 ~~or in the program area for which the request or~~
12 ~~proposal is being made, except that the director may~~
13 ~~grant an exception where the project or program area~~
14 ~~deals with new industry training, and~~

15 ~~(3) Be, employ, or have under contract persons who are~~
16 ~~qualified to engage in the program or activity to be~~
17 ~~funded by the State.~~

18 ~~(g) Recipients of grants or subsidies shall be subject to~~
19 ~~the following conditions:~~

20 ~~(1) Any organization requesting a grant or subsidy shall~~
21 ~~submit its request together with all the information~~



- 1 ~~required by the director on an application form~~
2 ~~provided by the department,~~
- 3 ~~(2) The recipient of a grant or subsidy shall not use~~
4 ~~public funds for purposes of entertainment or~~
5 ~~perquisites,~~
- 6 ~~(3) The recipient of a grant or subsidy shall comply with~~
7 ~~applicable federal, state, and county laws,~~
- 8 ~~(4) The recipient of a grant or subsidy shall comply with~~
9 ~~any other requirements the director may prescribe,~~
- 10 ~~(5) The recipient of a grant or subsidy shall allow the~~
11 ~~director, the legislative bodies, and the legislative~~
12 ~~auditor full access to records, reports, files, and~~
13 ~~other related documents so that the program,~~
14 ~~management, and fiscal practices of the grant~~
15 ~~recipient may be monitored and evaluated to assure the~~
16 ~~proper and effective expenditure of public funds,~~
- 17 ~~(6) Every grant or subsidy shall be monitored according to~~
18 ~~rules established by the director to ensure compliance~~
19 ~~with this section, and~~
- 20 ~~(7) Any recipient of a grant or subsidy under this section~~
21 ~~who withholds or omits any material fact or~~
22 ~~deliberately misrepresents facts to the director or~~



1 ~~who violates the terms of the recipient's contract~~
2 ~~shall be in violation of this section and, in addition~~
3 ~~to any other penalties provided by law, shall be~~
4 ~~prohibited from applying for a grant or subsidy under~~
5 ~~this section for a period of five years from the date~~
6 ~~of termination.~~

7 ~~(h) The director shall submit a report to the legislature~~
8 ~~on the status of the employment and training fund, including~~
9 ~~expenditures and program results, at least twenty days prior to~~
10 ~~the convening of each regular legislative session.~~

11 ~~(i) The director of finance shall act as the treasurer and~~
12 ~~custodian of the employment and training fund, invest those~~
13 ~~moneys in accordance with applicable laws and rules, and~~
14 ~~disburse the moneys in the employment and training fund in~~
15 ~~accordance with directions by the director of labor and~~
16 ~~industrial relations; provided that if administrative~~
17 ~~encumbrances are executed, then any portions thereof that are~~
18 ~~unexpended at the close of each fiscal year shall be lapsed into~~
19 ~~the employment and training fund. All interest earned from~~
20 ~~investment of moneys in the employment and training fund shall~~
21 ~~be deposited in the fund. The director of finance shall be~~
22 ~~liable on the director's official bond for the faithful~~



1 ~~performance of all duties in connection with the employment and~~
2 ~~training fund. All sums recovered on the surety bond for losses~~
3 ~~sustained by the employment and training fund shall be deposited~~
4 ~~in the fund.~~

5 ~~(j) Administrative costs for the collection of employment~~
6 ~~and training fund contributions and for costs related to the~~
7 ~~establishment and maintenance of the employment and training~~
8 ~~fund shall be borne by the fund beginning with fiscal year 1992-~~
9 ~~1993 and thereafter.~~

10 ~~(k) The director may establish positions and hire~~
11 ~~necessary personnel to establish and administer the employment~~
12 ~~and training fund in accordance with chapter 76."]~~

13 SECTION 139. Chapter 392, part IV, Hawaii Revised
14 Statutes, is repealed.

15 SECTION 140. Section 431:22-102, Hawaii Revised Statutes,
16 is repealed.

17 [~~"§431:22-102 Loss mitigation grant fund. (a) There is~~
18 ~~established a special fund to be designated as the loss~~
19 ~~mitigation grant fund. Moneys transferred to the loss~~
20 ~~mitigation grant fund may be expended by the commissioner to~~
21 ~~carry out the commissioner's duties and obligations under this~~



1 ~~article. Disbursements from the loss mitigation grant fund~~
2 ~~shall not be subject to chapter 42F or 91.~~

3 ~~(b) The loss mitigation grant fund may be used by the~~
4 ~~commissioner to make loss mitigation grants authorized under~~
5 ~~this article. The loss mitigation grant fund shall also be used~~
6 ~~by the commissioner to pay for any administrative and~~
7 ~~operational costs, including personnel costs and marketing~~
8 ~~costs, associated with a loss mitigation grant program. Any law~~
9 ~~to the contrary notwithstanding, the commissioner may use the~~
10 ~~moneys in the loss mitigation grant fund to employ or retain, by~~
11 ~~contract or otherwise, without regard to chapters 76 and 78,~~
12 ~~necessary professional, expert, managerial, technical, and~~
13 ~~support personnel to implement and carry out the purposes of~~
14 ~~this article.~~

15 ~~(c) The commissioner shall prepare an annual report to the~~
16 ~~director, governor, and the legislature on the use of the loss~~
17 ~~mitigation grant fund. The report shall provide statistical~~
18 ~~information on program participation. The report shall be~~
19 ~~submitted to the legislature no later than twenty days prior to~~
20 ~~the convening of each regular legislative session."]~~

21 SECTION 141. Section 448B-10, Hawaii Revised Statutes, is
22 repealed.



1 ~~["§448B-10] Dietitian licensure special fund. There is~~
2 ~~established in the state treasury a special fund to be known as~~
3 ~~the dietitian licensure special fund to be administered by the~~
4 ~~department. Fees collected under section 448B-9 shall be~~
5 ~~deposited in the dietitian licensure special fund and may be~~
6 ~~expended for the costs associated with administering the~~
7 ~~licensure program, including but not limited to education."]~~

8 SECTION 142. Section 467B-15, Hawaii Revised Statutes, is
9 repealed.

10 ~~["§467B-15] Solicitation of funds for charitable purposes~~
11 ~~special fund. There is established in the state treasury the~~
12 ~~solicitation of funds for charitable purposes special fund, into~~
13 ~~which shall be deposited all fees, fines, penalties, attorneys'~~
14 ~~fees, and costs of investigation collected under this chapter.~~
15 ~~Moneys in the fund may be expended by the attorney general for~~
16 ~~the enforcement of this chapter, the dissemination of public~~
17 ~~information, and the oversight of charities and professional~~
18 ~~fundraisers."]~~

19 SECTION 143. Section 502-8, Hawaii Revised Statutes, is
20 repealed.

21 ~~["§502-8 Bureau of conveyances special fund. (a) There~~
22 ~~is established in the state treasury the bureau of conveyances~~



1 ~~special fund, into which shall be deposited the revenues~~
2 ~~remitted pursuant to sections 501 23.5 and 502 25, interest~~
3 ~~earnings, grants, donations, and appropriations from the~~
4 ~~legislature that shall be held separate and apart from all other~~
5 ~~moneys, funds, and accounts in the state treasury.~~

6 ~~(b) Moneys in the bureau of conveyances special fund shall~~
7 ~~be used by the bureau of conveyances for the following purposes:~~

8 ~~(1) Planning, design, construction, and acquisition of~~
9 ~~equipment, furnishings, and software necessary for the~~
10 ~~development of the recording system described in this~~
11 ~~chapter and chapter 501;~~

12 ~~(2) Operating, maintaining, and improving the recording~~
13 ~~system described in this chapter and chapter 501 or~~
14 ~~any other purpose deemed necessary by the bureau of~~
15 ~~conveyances for the purpose of planning, improving,~~
16 ~~developing, operating, and maintaining the recording~~
17 ~~system described in this chapter and chapter 501;~~

18 ~~(3) Permanent and temporary staff positions for the~~
19 ~~purposes of this chapter and chapter 501; and~~

20 ~~(4) Administrative costs for the purposes of this chapter~~
21 ~~and chapter 501.~~



1 ~~(c) All moneys in excess of \$500,000 remaining on balance~~
2 ~~in the bureau of conveyances special fund on June 30 of each~~
3 ~~year shall lapse to the credit of the state general fund;~~
4 ~~provided that any balance of funds collected pursuant to section~~
5 ~~16 of Act 120, Session Laws of Hawaii 2009, shall not lapse to~~
6 ~~the credit of the state general fund. On July 1 of each year,~~
7 ~~the director of finance is authorized to transfer any excess~~
8 ~~funds in the bureau of conveyances special fund to the state~~
9 ~~general fund."]~~

10 SECTION 144. Section 601-3.6, Hawaii Revised Statutes, is
11 repealed.

12 ~~["§601-3.6 Spouse and child abuse special account,~~
13 ~~judiciary. (a) There is established within the state treasury~~
14 ~~a special fund to be known as the "spouse and child abuse~~
15 ~~special account", and to be administered and expended by the~~
16 ~~judiciary.~~

17 ~~(b) The proceeds of the account shall be reserved for use~~
18 ~~by the judiciary for staff programs, and grants or purchases of~~
19 ~~service, consistent with chapters 42F and 103F, that support or~~
20 ~~provide spouse or child abuse intervention or prevention as~~
21 ~~authorized by law. These proceeds shall be used for new or~~
22 ~~existing programs and shall not supplant any other funds~~



1 ~~previously allocated to these programs. The account shall be~~
2 ~~kept separate and apart from all other funds in the treasury.~~

3 ~~(c) The account shall consist of fees remitted pursuant to~~
4 ~~sections 338-14.5 and 572-5, income tax remittances allocated~~
5 ~~under section 235-102.5, fines collected pursuant to sections~~
6 ~~[586-4(c)], 580-10, and 586-11, interest and investment~~
7 ~~earnings, grants, donations, and contributions from private or~~
8 ~~public sources. All realizations of the account shall be~~
9 ~~subject to the conditions specified in subsection (b).~~

10 ~~(d) The judiciary, in coordination with the department of~~
11 ~~health, shall submit an annual report to the legislature, prior~~
12 ~~to the convening of each regular session, providing an~~
13 ~~accounting of the receipts of and expenditures from the~~
14 ~~account."]~~

15 SECTION 145. Section 601-3.7, Hawaii Revised Statutes, is
16 repealed.

17 ~~["§601-3.7 Judiciary computer system special fund. (a)~~
18 ~~There is established in the state treasury a special fund to be~~
19 ~~known as the judiciary computer system special fund. Moneys~~
20 ~~collected from administrative fees pursuant to section 287-3(a)~~
21 ~~and fees pursuant to sections 607-4(b)(10) and 607-5(e)(32)~~
22 ~~shall be deposited into the fund.~~



1 ~~(b) The fund shall be used for:~~

2 ~~(1) Consulting and other related fees and expenses in the~~
3 ~~selection, implementation, programming, and subsequent~~
4 ~~upgrades in judiciary computer system for a statewide~~
5 ~~computer system; and~~

6 ~~(2) The purchase of hardware and related software for a~~
7 ~~judiciary computer system.~~

8 ~~(c) The fund may be used for other expenses relating to~~
9 ~~new technology in traffic enforcement and civil, criminal, and~~
10 ~~appellate case processing and management, including operations~~
11 ~~and maintenance.~~

12 ~~(d) Moneys in the judiciary computer system special fund~~
13 ~~shall not revert to the general fund."]~~

14 SECTION 146. Section 706-649, Hawaii Revised Statutes, is
15 repealed.

16 ~~["§706-649 Probation services special fund. (1) There is~~
17 ~~established in the state treasury a special fund to be known as~~
18 ~~the probation services special fund. All probation services~~
19 ~~fees collected under section 706-648 shall be deposited into~~
20 ~~this fund.~~

21 ~~(2) Moneys in the probation services special fund shall be~~
22 ~~used by the judiciary to monitor, enforce, and collect fees,~~



1 ~~finances, restitution, other monetary obligations owed by~~
2 ~~defendants, and other terms and conditions of probation."]~~

3 PART II

4 SECTION 147. (a) On July 1, 2011, the director of finance
5 shall transfer any balances remaining, as of June 30, 2011, in
6 the special funds that are repealed in part I of this Act to the
7 credit of the state general fund.

8 (b) The director of finance shall identify any special
9 funds that are repealed in part I of this Act that contain or
10 receive deposits from any federal funding source and is
11 authorized to transfer the portions of those balances consisting
12 of federal funds into corresponding separate special accounts
13 within the general fund to enable the continuation of the
14 purposes funded by the federal funding sources.

15 SECTION 148. It is the intent of this Act not to
16 jeopardize the receipt of any federal aid nor to impair the
17 obligation of the State or any agency thereof to the holders of
18 any bond issued by the State or by any such agency, and to the
19 extent, and only to the extent, necessary to effectuate this
20 intent, the governor may modify the strict provisions of this
21 Act, but shall promptly report any such modification with



1 reasons therefor to the legislature at its next session
2 thereafter for review by the legislature.

3 SECTION 149. This Act does not affect rights and duties
4 that matured, penalties that were incurred, and proceedings that
5 were begun before its effective date.

6 SECTION 150. If any provision of this Act, or the
7 application thereof to any person or circumstance is held
8 invalid, the invalidity does not affect other provisions or
9 applications of the Act, which can be given effect without the
10 invalid provision or application, and to this end the provisions
11 of this Act are severable.

12 PART III

13 SECTION 151. The legislative reference bureau shall
14 prepare proposed conforming legislation to make necessary
15 amendments to statutes affected by the repeal of the sections in
16 the Hawaii Revised Statutes that are repealed in part I of this
17 Act. The legislative reference bureau shall transmit such
18 proposed legislation to the legislature not later than twenty
19 days prior to the convening of the regular session of 2012.

20 SECTION 152. Statutory material to be repealed is
21 bracketed and stricken. New statutory material is underscored.



1 SECTION 153. This Act shall take effect on July 1, 2011.

2

INTRODUCED BY:

Malama Glavin
John R.
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Oren Hee



Report Title:

Certain Special Funds; Repeal

Description:

Repeals certain special funds and transfers balances to the state general fund.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

