



**GOV. MSG. NO. 1143**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

April 29, 2016

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 29, 2016, the following bill was signed into law:

SB2552 SD1 HD1

RELATING TO NON-GENERAL FUNDS  
**ACT 043 (16)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

Approved by the Governor.

on APR 29 2016  
THE SENATE  
TWENTY-EIGHTH LEGISLATURE, 2016  
STATE OF HAWAII

**ACT 043**  
**S.B. NO.** 2552  
S.D. 1  
H.D. 1

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# A BILL FOR AN ACT

RELATING TO NON-GENERAL FUNDS.

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

1 PART I

2 SECTION 1. The purpose of this Act is to:

- 3 (1) Repeal and abolish various non-general funds and  
4 accounts, pursuant to the recommendations made by the  
5 auditor in auditor's report no. 15-17, and transfers  
6 unencumbered balances to the general fund, emergency  
7 and budget reserve fund, or county of Hawaii; and  
8 (2) Require the department of health to examine the  
9 distribution of revenues derived from fees for birth,  
10 marriage, divorce, and death certificates.

11 PART II

12 SECTION 2. The purpose of this part is to repeal the early  
13 intervention trust fund.

14 The legislature finds that the fund does not serve the  
15 purpose for which it was created and does not meet the criteria  
16 for a trust fund.



1 SECTION 3. Section 321-357, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending its title and subsection (a) to read:

4 "[+]§321-357[+] Early intervention [~~funds,~~] special fund;  
5 purpose and use. (a) The purpose of the early intervention  
6 special fund [~~and early intervention trust fund~~] is to expand  
7 and enhance early intervention services for infants and toddlers  
8 with special needs by providing a cooperative funding mechanism  
9 between the public and private sectors to work together to make  
10 and secure appropriations and donations to the [~~funds-~~] fund."

11 2. By amending subsection (d) to read:

12 "(d) The Hawaii early intervention coordinating council  
13 shall make recommendations to the department for the expenditure  
14 of moneys from the [~~funds-~~] early intervention special fund."

15 SECTION 4. Section 321-356, Hawaii Revised Statutes, is  
16 repealed.

17 [~~§321-356 Early intervention trust fund. (a) There is~~  
18 ~~established in the state treasury a trust fund to be known as~~  
19 ~~the early intervention trust fund to be administered by the~~  
20 ~~department in accordance with this section.~~



~~1 (b) The trust fund shall consist of government grants and  
2 private contributions including but not limited to gifts or  
3 donations from corporations or other businesses, foundations,  
4 individuals, and other interested parties, and income earned by  
5 the trust fund. All program income consisting of federal  
6 reimbursement funds received by the State for early intervention  
7 funded by private donations and contributions under this part  
8 shall be deposited into the trust fund."]~~

9 SECTION 5. On July 1, 2016, all unencumbered balances  
10 remaining in the early intervention trust fund repealed by  
11 section 4 of this Act shall lapse to the credit of the general  
12 fund.

13 PART III

14 SECTION 6. The following funds and accounts are abolished:

- 15 (1) The early childhood obesity special fund  
16 administratively established in fiscal year 2011-2012  
17 and administered by the department of health;
- 18 (2) The grant for Catholic Charities-Lanakila senior  
19 center special fund administratively established and  
20 without any financial activity since 2007;



- 1           (3) The grant for emergency room subsidy at Waianae coast  
2           clinic special fund administratively established and  
3           without any financial activity since 2007;
- 4           (4) The grant for Hawai'i primary care association dental  
5           special fund administratively established and without  
6           any financial activity since 2007;
- 7           (5) The hospital-based poison center special fund  
8           administratively established and without any financial  
9           activity since 2006;
- 10          (6) The interagency federal revenue maximization revolving  
11          fund established pursuant to section 29-24, Hawaii  
12          Revised Statutes, which was repealed by Act 124,  
13          Session Laws of Hawaii 2011;
- 14          (7) The program for all inclusive care for elderly special  
15          fund administratively established and without any  
16          financial activity since 2006;
- 17          (8) The resources to nonprofit, community-based health  
18          care special fund administratively established and  
19          without any financial activity since 2006;
- 20          (9) The respite services special fund administratively  
21          established in 2009; and



1           (10) The subsidy for St. Francis medical center-bone marrow  
2                   special fund administratively established and without  
3                   any financial activity since 2007;  
4 and any remaining unencumbered balances shall be transferred to  
5 the general fund.

6   PART IV

7           SECTION 7. The following funds and accounts are abolished:

- 8           (1) The funding for grant pursuant to chapter 42F, Hawaii  
9                   Revised Statutes, special fund administratively  
10                   established in 2010 for moneys appropriated from the  
11                   emergency and budget reserve fund through Act 191,  
12                   Session Laws of Hawaii 2010, and Act 25, Session Laws  
13                   of Hawaii 2011, which extended the lapse date to the  
14                   end of fiscal year 2011-2012;
- 15           (2) The healthy aging partnerships program special fund  
16                   administratively established in 2010 for moneys from  
17                   the emergency and budget reserve fund authorized  
18                   through Act 191, Session Laws of Hawaii 2010, for  
19                   fiscal year 2010-2011 and Act 25, Session Laws of  
20                   Hawaii 2011, which extended the lapse date from June  
21                   30, 2011, to June 30, 2012; and



1 (3) The partnership in community living program special  
 2 fund administratively established in 2010 for moneys  
 3 appropriated from the emergency and budget reserve  
 4 fund through Act 191, Session Laws of Hawaii 2010, and  
 5 Act 25, Session Laws of Hawaii 2011, which extended  
 6 the lapse date to the end of fiscal year 2011-2012;  
 7 and any remaining unencumbered balances shall be transferred to  
 8 the emergency and budget reserve fund established pursuant to  
 9 section 328L-3, Hawaii Revised Statutes.

10 PART V

11 SECTION 8. The Hilo shippers' wharf committee charitable  
 12 trust fund established in 1954 is abolished and any remaining  
 13 unencumbered balance shall be transferred to the county of  
 14 Hawaii pursuant to third circuit vesting order no. 03-1-0010.

15 PART VI

16 SECTION 9. The purpose of this part is to require the  
 17 department of health to examine the distribution of revenues  
 18 derived from fees for birth, marriage, divorce, and death  
 19 certificates.

20 SECTION 10. (a) The department of health, with the  
 21 cooperation of the department of taxation, department of budget



1 and finance, and other relevant executive departments, shall  
2 conduct a study on the distribution of revenues derived from  
3 fees for birth, marriage, divorce, or death certificates.

4 (b) The study shall include the following:

5 (1) Estimated total revenues derived from the fees through  
6 fiscal year 2024-2025;

7 (2) Estimated distribution of fee revenues among the non-  
8 general funds specified in section 338-14.5, Hawaii  
9 Revised Statutes, through fiscal year 2024-2025;

10 (3) Estimated budgetary needs of the agencies and programs  
11 supported by the non-general funds listed in section  
12 338-14.5, Hawaii Revised Statutes, through fiscal year  
13 2024-2025;

14 (4) Differences between the estimated budgetary needs of  
15 the agencies and programs under paragraph (3) and  
16 their estimated share of fee revenues; and

17 (5) A recommendation on whether to:

18 (A) Continue the distribution of fee revenues to the  
19 non-general funds, with or without modification;

20 or





1 (B) Redistribute all or most of the fee revenues to  
2 the general fund and change the means of  
3 financing of affected agencies and programs to  
4 general funds.

5 SECTION 11. The department of health shall submit the  
6 study, with its findings and recommendations, to the legislature  
7 and governor no later than November 1, 2016.

8 PART VII

9 SECTION 12. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11 SECTION 13. This Act shall take effect on July 1, 2016.

APPROVED this 29 day of APR, 2016



GOVERNOR OF THE STATE OF HAWAII