



GOV. MSG. NO. 1268

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 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 June 29, 2016, the following bill was signed into law:

SB2551 HD1 CD1

RELATING TO NON-GENERAL FUNDS
ACT 166 (16)

Sincerely,

A handwritten signature in black ink that reads "David Y. Ige".

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on JUN 29 2016

THE SENATE
TWENTY-EIGHTH LEGISLATURE, 2016
STATE OF HAWAII

ACT 166
S.B. NO. 2551
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO NON-GENERAL FUNDS.

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

1 SECTION 1. The legislature finds that the judiciary should
2 report to the legislature on all non-general funds managed by
3 the judiciary, including administratively established accounts
4 and funds. The legislature finds it is necessary to be informed
5 of the total fiscal situation of the State to make sound
6 budgetary decisions. However, the auditor's report no. 15-16,
7 "Review of Special Funds, Revolving Funds, Trust Funds, and
8 Trust Accounts of the Judiciary", reported that "[a]ccording to
9 [j]udiciary personnel, sections 37-47(9), (10), and (11), Hawaii
10 Revised Statutes, do not apply to its special funds." As a
11 result, the auditor found that several trust funds and accounts
12 of the judiciary were not reported to the legislature.

13 The purpose of this Act is to impose the same non-general
14 fund reporting requirements on the judiciary as that established
15 for executive branch departments.

16 SECTION 2. Chapter 601, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:



1 "§601- Reporting of non-general fund information. No
2 later than twenty days prior to the convening of each regular
3 session, the judiciary shall submit to the legislature a report
4 for each non-general fund account, which shall include but not
5 be limited to the following:

- 6 (1) The name of the fund and a cite to the law authorizing
7 the fund;
- 8 (2) The intended purpose of the fund;
- 9 (3) The current program activities which the fund
10 supports;
- 11 (4) The balance of the fund at the beginning of the
12 current fiscal year;
- 13 (5) The total amount of expenditures and other outlays
14 from the fund account for the previous fiscal year;
- 15 (6) The total amount of revenue deposited to the account
16 for the previous fiscal year;
- 17 (7) A detailed listing of all transfers from the fund;
- 18 (8) The amount of moneys encumbered in the account as of
19 the beginning of the fiscal year;



1 (9) The amount of funds in the account which are required
2 for the purposes of bond conveyance or other related
3 bond obligations;

4 (10) The amount of moneys in the account derived from bond
5 proceeds; and

6 (11) The amount of moneys of the fund held in certificates
7 of deposit, escrow accounts, or other investments."

8 SECTION 3. Section 37-52.5, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§37-52.5 Criteria for the establishment and continuance
11 of administratively established accounts and funds. (a)

12 ~~[Except for the]~~ The judiciary~~[,]~~ and any department or agency
13 that administratively establishes any new account or fund,
14 within thirty working days of its establishment, shall transmit
15 a report to the legislature. The report to the legislature
16 shall include:

17 (1) The justification for the establishment of the account
18 or fund; and

19 (2) The sources of revenue for the fund.

20 (b) ~~[Except for the]~~ The judiciary~~[,]~~ and each department
21 or agency, at least twenty days prior to the convening of each



1 regular session, shall submit a report to the legislature. The
2 report shall include:

3 (1) A list of all administratively established accounts or
4 funds; and

5 (2) All revenues, expenditures, encumbrances, and ending
6 balances of each account or fund."

7 SECTION 4. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 5. This Act shall take effect on July 1, 2016.

APPROVED this 29 day of JUN, 2016



GOVERNOR OF THE STATE OF HAWAII