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## A BILL FOR AN ACT

RELATING TO THE REPEAL OF FUNDS AND ACCOUNTS.

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

1           SECTION 1. Section 36-27, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) Except as provided in this section, and  
4 notwithstanding any other law to the contrary, from time to  
5 time, the director of finance, for the purpose of defraying the  
6 prorated estimate of central service expenses of government in  
7 relation to all special funds, except the:

- 8           (1) Special out-of-school time instructional program fund  
9           under section 302A-1310;
- 10           (2) School cafeteria special funds of the department of  
11           education;
- 12           (3) Special funds of the University of Hawaii;
- 13           (4) State educational facilities improvement special fund;
- 14           (5) Convention center enterprise special fund under  
15           section 201B-8;
- 16           (6) Special funds established by section 206E-6;
- 17           (7) Housing loan program revenue bond special fund;



- 1           (8)   Housing project bond special fund;
- 2           ~~[(9)   Aloha Tower fund created by section 206J-17;~~
- 3           ~~[(10)]~~ (9)   Funds of the employees' retirement system created
- 4                    by section 88-109;
- 5           ~~[(11)]~~ (10)   Hawaii hurricane relief fund established under
- 6                    chapter 431P;
- 7           ~~[(12)]~~ (11)   Hawaii health systems corporation special funds
- 8                    and the subaccounts of its regional system boards;
- 9           ~~[(13)]~~ (12)   Tourism special fund established under section
- 10                   201B-11;
- 11           ~~[(14)]~~ (13)   Universal service fund established under section
- 12                   269-42;
- 13           ~~[(15)]~~ (14)   Emergency and budget reserve fund under section
- 14                   328L-3;
- 15           ~~[(16)]~~ (15)   Public schools special fees and charges fund
- 16                   under section 302A-1130;
- 17           ~~[(17)]~~ (16)   Sport fish special fund under section 187A-9.5;
- 18           ~~[(18)]~~ (17)   Glass advance disposal fee established by
- 19                   section 342G-82;
- 20           ~~[(19)]~~ (18)   Center for nursing special fund under section
- 21                   304A-2163;



- 1        [~~(20)~~] (19) Passenger facility charge special fund  
2                    established by section 261-5.5;
- 3        [~~(21)~~] (20) Court interpreting services revolving fund under  
4                    section 607-1.5;
- 5        [~~(22)~~] (21) Hawaii cancer research special fund;
- 6        [~~(23)~~] (22) Community health centers special fund;
- 7        [~~(24)~~] (23) Emergency medical services special fund;
- 8        [~~(25)~~] (24) Rental motor vehicle customer facility charge  
9                    special fund established under section 261-5.6;
- 10       [~~(26)~~] (25) Shared services technology special fund under  
11                    section 27-43;
- 12       [~~(27)~~] (26) Automated victim information and notification  
13                    system special fund established under section 353-136;
- 14       [~~(28)~~] (27) Deposit beverage container deposit special fund  
15                    under section 342G-104; and
- 16       [~~(29)~~] (28) Hospital sustainability program special fund  
17                    under Act 217, Session Laws of Hawaii 2012, as amended  
18                    by Act 141, Session Laws of Hawaii 2013;
- 19       [~~(30)~~] (29) Nursing facility sustainability program special  
20                    fund under Act 156, Session Laws of Hawaii 2012;



1     ~~[(31)]~~ (30) Hawaii 3R's school improvement fund~~[+]~~ under  
2             section 302A-1502.4; and  
3     ~~[(32)]~~ (31) After-school plus program revolving fund under  
4             section 302A-1149.5,  
5 shall deduct five per cent of all receipts of all special funds,  
6 which deduction shall be transferred to the general fund of the  
7 State and become general realizations of the State. All  
8 officers of the State and other persons having power to allocate  
9 or disburse any special funds shall cooperate with the director  
10 in effecting these transfers. To determine the proper revenue  
11 base upon which the central service assessment is to be  
12 calculated, the director shall adopt rules pursuant to chapter  
13 91 for the purpose of suspending or limiting the application of  
14 the central service assessment of any fund. No later than  
15 twenty days prior to the convening of each regular session of  
16 the legislature, the director shall report all central service  
17 assessments made during the preceding fiscal year."

18             SECTION 2. Section 36-30, Hawaii Revised Statutes, is  
19 amended by amending subsection (a) to read as follows:

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



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



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



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1        ~~[(25)]~~ (23) Nursing facility sustainability program special  
2                    fund established pursuant to Act 156, Session Laws of  
3                    Hawaii 2012;

4        ~~[(26)]~~ (24) Automated victim information and notification  
5                    system special fund established under section 353-136;  
6                    and

7        ~~[(27)]~~ (25) Hospital sustainability program special fund  
8                    under Act 217, Session Laws of Hawaii 2012, as amended  
9                    by Act 141, Session Laws of Hawaii 2013,

10 shall be responsible for its pro rata share of the  
11 administrative expenses incurred by the department responsible  
12 for the operations supported by the special fund concerned."

13        SECTION 3. Section 261-5, Hawaii Revised Statutes, is  
14 amended as follows:

15        1. By amending subsection (a) to read:

16        "(a) Except for:

17        ~~[(1) That portion of the payments received by the~~  
18                    ~~department under a contract entered into as authorized~~  
19                    ~~by section 261-7 and deposited in the transportation~~  
20                    ~~use special fund pursuant to section 261D-1;~~



1       ~~(2)~~ (1) All proceeds from the passenger facility charge  
2               and deposited in the passenger facility charge special  
3               fund; and

4       ~~(3)~~ (2) All proceeds from the rental motor vehicle  
5               customer facility charge and deposited in the rental  
6               motor vehicle customer facility charge special fund,  
7 all moneys received by the department from rents, fees, and  
8 other charges collected pursuant to this chapter, as well as all  
9 aviation fuel taxes paid pursuant to section 243-4(a)(2), shall  
10 be paid into the airport revenue fund created by section 248-8.

11       All moneys paid into the airport revenue fund shall be  
12 appropriated, applied, or expended by the department for any  
13 purpose within the jurisdiction, powers, duties, and functions  
14 of the department related to the statewide system of airports,  
15 including, without limitation, the costs of operation,  
16 maintenance, and repair of the statewide system of airports and  
17 reserves therefor, and acquisitions (including real property and  
18 interests therein), constructions, additions, expansions,  
19 improvements, renewals, replacements, reconstruction,  
20 engineering, investigation, and planning for the statewide  
21 system of airports, all or any of which in the judgment of the





1 department are necessary to the performance of its duties or  
2 functions. The department shall generate sufficient revenues  
3 from its airport properties to meet all of the expenditures of  
4 the statewide system of airports and to comply with section 39-  
5 61; provided that as long as sufficient revenues are generated  
6 to meet such expenditures, the director of transportation may,  
7 in the director's discretion, grant a rebate of the aviation  
8 fuel taxes paid into the airport revenue fund during a fiscal  
9 year pursuant to sections 243-4(a)(2) and 248-8 to any person  
10 who has paid airport use charges or landing fees during such  
11 fiscal year. Such rebate may be granted during the next  
12 succeeding fiscal year but shall not exceed one-half cent per  
13 gallon per person, and shall be computed on the total number of  
14 gallons for which the tax was paid by such person, for such  
15 fiscal year."

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

17 "(d) Notwithstanding the provisions contained in any  
18 contract authorized by section 261-7 in effect on June 13, 1989,  
19 from and after June 13, 1989, to and including June 30, 1990,  
20 all payments made under such contract allocable to the display  
21 and sale of in-bond merchandise at locations in the State other



1 than on airport properties shall be credited to the  
2 [~~transportation use special fund established by section 261D-1~~  
3 ~~in the~~] airport revenue fund established by section 248-8, but  
4 shall not be appropriated, applied, or expended prior to July 1,  
5 1990, except for purposes provided under this section."

6 SECTION 4. Section 206J-17, Hawaii Revised Statutes, is  
7 repealed.

8 [~~"§206J-17 Aloha Tower fund. (a) There is created the~~  
9 ~~Aloha Tower fund. All moneys, rentals, charges, other revenues~~  
10 ~~of the development corporation, and moneys or charges received~~  
11 ~~by the department of transportation, including reimbursements~~  
12 ~~for costs and staff services as a result of planning,~~  
13 ~~development, or redevelopment of the lands located seaward of~~  
14 ~~Nimitz Highway between Pier 4 and Pier 11 shall be deposited~~  
15 ~~into the fund.~~

16 ~~(b) The development corporation may establish a separate~~  
17 ~~account with respect to each issue of bonds issued under this~~  
18 ~~chapter and direct that the moneys, rentals, charges, and other~~  
19 ~~revenues pledged to the payment of the bond issue be credited to~~  
20 ~~that account and, as permitted by section 206J 12(g)(7),~~  
21 ~~designate a trustee to receive and receipt for, hold, and~~



1 ~~administer the moneys in the account. Moneys credited to a~~  
2 ~~separate account held by a trustee may be paid directly to the~~  
3 ~~trustee, provided that appropriate entries are made for purposes~~  
4 ~~of accounting.~~

5 ~~(c) The moneys on deposit in the fund shall be used for~~  
6 ~~the purposes of this chapter, lease payments to the department~~  
7 ~~of transportation, and for the development, redevelopment, or~~  
8 ~~improvement of the Honolulu Waterfront located seaward of Nimitz~~  
9 ~~Highway between Pier 4 and Pier 11." ]~~

10 SECTION 5. Chapter 261D, Hawaii Revised Statutes, is  
11 repealed.

12 SECTION 6. The following funds are abolished:

- 13 (1) The Amtrak trust account established in 1998 and  
14 administered by the department of transportation;
- 15 (2) The Hurricane Iniki insurance proceeds special fund  
16 administratively established in 1997 and administered  
17 by the department of transportation; and
- 18 (3) The deposits-plans and specifications trust account  
19 administratively established in 1988 and administered  
20 by the department of transportation,



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1 and any remaining balances shall be transferred to the general  
2 fund.

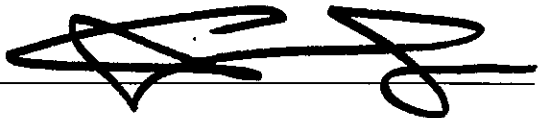
3 SECTION 7. On June 30, 2015, all unencumbered balances  
4 remaining in the accounts and funds repealed by this Act shall  
5 lapse to the credit of the general fund.

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

8 SECTION 9. This Act shall take effect on June 29, 2015;  
9 provided that the amendments made in sections 1 and 2 shall not  
10 be repealed when sections 36-27 and 36-30, Hawaii Revised  
11 Statutes, are reenacted on June 30, 2015, pursuant to section 34  
12 of Act 79, Session Laws of Hawaii 2009.

13

INTRODUCED BY:



JAN 22 2015



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**Report Title:**

Non-General Funds; Repeal; Accounts

**Description:**

Repeals and transfers the unencumbered balances of various funds and accounts to the credit of the 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.*

