
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 36-30, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) Each special fund, except the:
4 ~~[(1) Transportation use special fund established by section~~
5 ~~261D-1;~~
6 ~~+(2)]~~ (1) Special out-of-school time instructional program
7 fund under section 302A-1310;
8 ~~+(3)]~~ (2) School cafeteria special funds of the department
9 of education;
10 ~~+(4)]~~ (3) Special funds of the University of Hawaii;
11 ~~+(5)]~~ (4) State educational facilities improvement special
12 fund;
13 ~~+(6)]~~ (5) Special funds established by section 206E-6;
14 ~~+(7)]~~ (6) Aloha Tower fund created by section 206J-17;
15 ~~+(8)]~~ (7) Funds of the employees' retirement system created
16 by section 88-109;



- 1 ~~[(9)]~~ (8) Hawaii hurricane relief fund established under
2 section 431P-2;
- 3 ~~[(10)]~~ (9) Convention center enterprise special fund
4 established under section 201B-8;
- 5 ~~[(11)]~~ (10) Hawaii health systems corporation special funds
6 and the subaccounts of its regional system boards;
- 7 ~~[(12)]~~ (11) Tourism special fund established under section
8 201B-11;
- 9 ~~[(13)]~~ (12) Universal service fund established under section
10 269-42;
- 11 ~~[(14)]~~ (13) Emergency and budget reserve fund under section
12 328L-3;
- 13 ~~[(15)]~~ (14) Public schools special fees and charges fund
14 under section 302A-1130;
- 15 ~~[(16)]~~ (15) Sport fish special fund under section 187A-9.5;
- 16 ~~[(17)]~~ (16) Center for nursing special fund under section
17 304A-2163;
- 18 ~~[(18)]~~ (17) Passenger facility charge special fund
19 established by section 261-5.5;
- 20 ~~[(19)]~~ (18) Court interpreting services revolving fund under
21 section 607-1.5;



1 [~~(20)~~] (19) Hawaii cancer research special fund;
2 [~~(21)~~] (20) Community health centers special fund;
3 [~~(22)~~] (21) Emergency medical services special fund;
4 [~~(23)~~] (22) Rental motor vehicle customer facility charge
5 special fund established under section 261-5.6;
6 [~~(24)~~] (23) Shared services technology special fund under
7 section 27-43;
8 [~~(25)~~] (24) Nursing facility sustainability program special
9 fund established pursuant to Act 156, Session Laws of
10 Hawaii 2012;
11 [~~(26)~~] (25) Automated victim information and notification
12 system special fund established under section 353-136;
13 and
14 [~~(27)~~] (26) Hospital sustainability program special fund
15 under Act 217, Session Laws of Hawaii 2012, as amended
16 by Act 141, Session Laws of Hawaii 2013,
17 shall be responsible for its pro rata share of the
18 administrative expenses incurred by the department responsible
19 for the operations supported by the special fund concerned."

20 SECTION 2. Section 261-5, Hawaii Revised Statutes, is
21 amended as follows:



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

2 "(a) Except for:

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

7 ~~-(2)]~~ (1) All proceeds from the passenger facility charge
8 and deposited in the passenger facility charge special
9 fund; and

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

17 All moneys paid into the airport revenue fund shall be
18 appropriated, applied, or expended by the department for any
19 purpose within the jurisdiction, powers, duties, and functions
20 of the department related to the statewide system of airports,
21 including, without limitation, the costs of operation,



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



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

2 "(d) Notwithstanding the provisions contained in any
3 contract authorized by section 261-7 in effect on June 13, 1989,
4 from and after June 13, 1989, to and including June 30, 1990,
5 all payments made under such contract allocable to the display
6 and sale of in-bond merchandise at locations in the State other
7 than on airport properties shall be credited to the
8 [~~transportation use special fund established by section 261D-1~~
9 ~~in the~~] airport revenue fund established by section 248-8, but
10 shall not be appropriated, applied, or expended prior to July 1,
11 1990, except for purposes provided under this section."

12 SECTION 3. Chapter 261D, Hawaii Revised Statutes, is
13 repealed.

14 SECTION 4. The following funds are abolished:

- 15 (1) The Amtrak trust account established in 1998 and
16 administered by the department of transportation;
17 (2) The Hurricane Iniki insurance proceeds special fund
18 administratively established in 1997 and administered
19 by the department of transportation; and



1 (3) The deposits-plans and specifications trust account
2 administratively established in 1988 and administered
3 by the department of transportation,
4 and all unencumbered balances remaining shall be transferred to
5 the general fund.

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

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

11 SECTION 7. This Act shall take effect on June 29, 2015;
12 provided that the amendments made in section 1 shall not be
13 repealed when section 36-30, Hawaii Revised Statutes, is
14 reenacted on:

- 15 (1) June 30, 2015, pursuant to section 34 of Act 79,
16 Session Laws of Hawaii 2009; and
17 (2) December 31, 2015, pursuant to section 7 of Act 124,
18 Session Laws of Hawaii 2014.



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. (HB173 HD1)

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