
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 repeal, abolish,
3 or amend various non-general funds pursuant to the
4 recommendations made by the auditor in auditor's report no.
5 15-19.

6 PART II

7 SECTION 2. The purpose of this part is to repeal the child
8 care licensing and registration special fund.

9 The legislature finds that the fund no longer serves the
10 purpose for which it was created.

11 SECTION 3. Section 346-159, Hawaii Revised Statutes, is
12 repealed.

13 ~~["§346-159] Child care licensing and registration special~~
14 ~~fund. (a) There is established within the state treasury, to~~
15 ~~be administered by the department, the child care licensing and~~
16 ~~registration special fund into which shall be deposited.~~



1 ~~(1) All fees received from applicants for a license to~~
2 ~~operate group child care homes or group child care~~
3 ~~centers as provided in section 346-163 and from~~
4 ~~applicants for a certificate of registration for~~
5 ~~family child care homes as provided in section 346-~~
6 ~~173;~~

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 child care licensing and registration~~
11 ~~special fund shall be used for the following purposes:~~

12 ~~(1) The costs of administering child care licensing and~~
13 ~~registration;~~

14 ~~(2) Furthering the provision of quality child care~~
15 ~~services; and~~

16 ~~(3) Any other purpose deemed necessary by the department~~
17 ~~to ensure the health and safety of children.~~

18 ~~(c) All interest on special fund balances shall accrue to~~
19 ~~the credit of the special fund. Upon dissolution of the child~~
20 ~~care licensing and registration special fund, any unencumbered~~



1 ~~moneys in the fund shall lapse to the credit of the general~~
2 ~~fund."]~~

3 SECTION 4. On July 1, 2016, all unencumbered balances
4 remaining in the child care licensing and registration special
5 fund repealed by section 3 of this Act shall lapse to the credit
6 of the general fund.

7 PART III

8 SECTION 5. The purpose of this part is to repeal the
9 housing first special fund.

10 The legislature finds that the fund does not meet the self-
11 sustaining criterion because it relies on general fund
12 appropriations. Thus, the fund should be repealed.

13 SECTION 6. Section 346-378, Hawaii Revised Statutes, is
14 amended by amending subsection (a) to read as follows:

15 "(a) The department of human services, in consultation
16 with the United States Department of Housing and Urban
17 Development, as necessary, shall implement housing first
18 programs and services, as the department deems appropriate for
19 clientele who would most likely benefit from and succeed with
20 the implementation of housing first programs and services, and



1 subject to the availability of existing funds [~~or housing first~~
2 ~~special fund moneys~~]."

3 SECTION 7. Section 346-377, Hawaii Revised Statutes, is
4 repealed.

5 ["~~§346-377~~ ~~Housing first special fund.~~ (a) ~~There is~~
6 ~~established in the state treasury the housing first special~~
7 ~~fund, into which shall be deposited.~~

8 ~~(1) Appropriations by the legislature to the special fund;~~
9 ~~and~~

10 ~~(2) Gifts, donations, and grants from public agencies and~~
11 ~~private persons.~~

12 ~~Each county may provide matching funds, which shall also be~~
13 ~~deposited into the housing first special fund.~~

14 ~~(b) Moneys in the housing first special fund shall be~~
15 ~~administered and expended by the department of human services~~
16 ~~and shall be used to provide housing first programs and~~
17 ~~services."]~~

18 SECTION 8. On July 1, 2016, all unencumbered balances
19 remaining in the housing first special fund repealed by section
20 7 of this Act shall lapse to the credit of the general fund.

21



1 PART IV

2 SECTION 9. The purpose of this part is to amend the
3 revenue sources of the spouse and child abuse special account.

4 The legislature finds that the account does not meet the
5 clear nexus criterion. Specifically, there is no clear link
6 between the benefits of spouse and child abuse intervention and
7 prevention programs supported by the fund and revenues derived
8 from a portion of fees for copies of birth, marriage, divorce,
9 and death certificates, and marriage licenses issued by the
10 department of health, pursuant to sections 338-14.5 and 572-5,
11 Hawaii Revised Statutes.

12 SECTION 10. Section 338-14, Hawaii Revised Statutes, is
13 amended by amending subsection (c) to read as follows:

14 "(c) The department shall keep an account of all fees
15 collected and shall deposit them to the general fund of the
16 State except as provided in sections 321-1.3, 338-14.5,
17 338-14.6, [~~346-7.5,~~] and 601-3.6."

18 SECTION 11. Section 338-14.5, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "§338-14.5 **Copies of certificate; fees.** The fees for
21 certified copies of birth, marriage, divorce, or death



1 certificates issued by the department of health shall consist of
2 \$10 for the first copy issued and \$4 for each copy issued
3 thereafter. These fees shall be collected for each single
4 request for certified copies. All fees received for the
5 issuance of certified copies of birth, marriage, divorce, or
6 death certificates shall be remitted to the director of health.
7 Upon the receipt of remittances under this section, the director
8 of health shall deposit:

9 ~~[(1) \$1 for each certified copy to the credit of the spouse~~
10 ~~and child abuse special account established under~~
11 ~~section 346-7.5;]~~

12 ~~[(2)]~~ (1) \$1 for each certified copy to the credit of the
13 spouse and child abuse special account established
14 under section 601-3.6;

15 ~~[(3)]~~ (2) \$1 for each certified copy to the credit of the
16 domestic violence and sexual assault special fund
17 established under section 321-1.3;

18 ~~[(4)]~~ (3) \$1 for each certified copy to the credit of the
19 vital statistics improvement special fund established
20 under section 338-14.6; and



1 ~~[-5-]~~ (4) The remainder of the fee for each certified copy
2 to the credit of the state general fund."

3 SECTION 12. Section 346-7.5, Hawaii Revised Statutes, is
4 amending by amending subsection (c) as follows:

5 "(c) The account shall consist of ~~[fees remitted pursuant~~
6 ~~to sections 338-14.5 and 572-5,]~~ income tax remittances
7 allocated under section 235-102.5, interest and investment
8 earnings, grants, donations, and contributions from private or
9 public sources. All realizations of the account shall be
10 subject to the conditions specified in subsection (b)."

11 SECTION 13. Section 572-5, Hawaii Revised Statutes, is
12 amended by amending subsections (a) and (b) to read as follows:

13 "(a) The department of health shall appoint, and at its
14 pleasure remove, one or more suitable persons as agents
15 authorized to grant marriage licenses under this chapter in each
16 judicial circuit. The agents may issue licenses from any state
17 facility when deemed necessary by the director. Any agent
18 appointed under this subsection and receiving an application for
19 a marriage license shall collect from the applicant for the
20 license \$60, of which the agent, except those provided for in
21 subsection (b), shall retain \$9 for the agent's benefit and



1 compensation and shall remit \$51 to the director of health.

2 Upon the receipt of remittances under this subsection, the
3 director of health shall deposit:

4 (1) [~~\$32~~] \$36.50 for each license issued to the credit of
5 the general fund of the State;

6 [~~(2)~~] ~~\$4.50 for each license issued to the credit of the~~
7 ~~spouse and child abuse special account established~~
8 ~~under section 346-7.5;~~

9 ~~(3)]~~ (2) \$4.50 for each license issued to the credit of
10 the spouse and child abuse special account established
11 under section 601-3.6; and

12 [~~(4)]~~ (3) \$10 for each license issued to the credit of the
13 birth defects special fund established under section
14 321-426.

15 (b) The department may appoint, as regular employees under
16 the civil service and classification laws, the number of
17 suitable persons as agents authorized to grant marriage licenses
18 for whom provision has been made in the general appropriation
19 act. In the case of these agents, the full amount collected
20 from applicants shall be remitted to the director of health.



1 Upon the receipt of remittances under this subsection, the
2 director of health shall deposit:

3 (1) [~~\$41~~] \$45.50 for each license issued to the credit of
4 the general fund of the State;

5 [~~(2)~~] ~~\$4.50 for each license issued to the credit of the~~
6 ~~spouse and child abuse special account established~~
7 ~~under section 346-7.5;~~

8 ~~(3)]~~ (2) \$4.50 for each license issued to the credit of
9 the spouse and child abuse special account established
10 under section 601-3.6; and

11 [~~(4)]~~ (3) \$10 for each license issued to the credit of the
12 birth defects special fund established under section
13 321-426."

14 PART V

15 SECTION 14. The purpose of this part is to repeal the
16 housing project bond special funds.

17 The legislature finds that the funds do not serve the
18 purposes for which they were created.

19 SECTION 15. Section 356D-23, Hawaii Revised Statutes, is
20 amended by amending subsection (c) to read as follows:



1 "(c) The trustee shall also be authorized by the authority
2 ~~[to hold and administer any housing project bond special funds~~
3 ~~established pursuant to section 356D-28, and]~~ to receive and
4 receipt for, hold, and administer the revenues derived by the
5 authority from any public housing project or projects for which
6 the bonds are issued or the projects pledged to the payment of
7 the bonds, and to apply the revenues to the payment of the cost
8 of administering, operating, and maintaining the public housing
9 project or projects, to pay the principal of and the interest on
10 the bonds, to the establishment of reserves, and to other
11 purposes as may be authorized in the proceedings providing for
12 the issuance of the bonds."

13 SECTION 16. Section 356D-28, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "~~[+]§356D-28 [+] Public housing revolving fund~~~~[-housing~~
16 ~~project bond special funds]~~. (a) There is established the
17 public housing revolving fund to be administered by the
18 authority. Notwithstanding section 36-21, the proceeds in the
19 fund shall be used for long-term and other special financings of
20 the authority and for necessary expenses in administering this
21 chapter.



1 (b) All moneys received and collected by the authority,
2 not otherwise pledged, obligated, or required by law to be
3 placed in any other special fund, shall be deposited into the
4 public housing revolving fund.

5 ~~[(c) A separate special fund shall be established for each
6 public housing project or projects financed from the proceeds of
7 bonds secured under the trust indenture. Each fund shall be
8 designated "housing project bond special fund" and shall bear
9 any additional designation as the authority deems appropriate to
10 properly identify the fund.~~

11 ~~[(d) Notwithstanding any other law to the contrary, all
12 revenues, income, and receipts derived from a public housing
13 project or projects financed from the proceeds of bonds or
14 pledged to the payment of principal of and interest and premium
15 on bonds, shall be paid into the housing project bond special
16 fund established for the public housing project or projects and
17 applied as provided in the proceedings authorizing the issuance
18 of bonds.] "~~

19 SECTION 17. On July 1, 2016, all unencumbered balances
20 remaining in the housing project bond special funds repealed by



1 section 16 of this Act shall lapse to the credit of the general
2 fund.

3 PART VI

4 SECTION 18. The temporary deposits - payroll overpayment
5 housing and community development corporation of Hawaii trust
6 fund, administratively created in 2006, is reclassified as a
7 trust account.

8 PART VII

9 SECTION 19. The following funds and accounts are
10 abolished:

- 11 (1) The blueprint for change program special fund
12 administratively established in 2010;
- 13 (2) The costs related to homeless assistance special fund
14 administratively established in 2003;
- 15 (3) The Hale Mahaolu special fund administratively created
16 in 2010;
- 17 (4) The Hawai'i immigrant health initiative program special
18 fund administratively created in 2010;
- 19 (5) The outreach services special fund administratively
20 created in 2010;



1 (2) The department of human services homeless trust fund
2 created in 2006;

3 (3) The Geist foundation trust account created 1997;

4 (4) Kahikolu 'Ohana O Wai'anae project trust fund created
5 in 2007; and

6 (5) The recruitment of foster parents trust account
7 created in 1987;

8 and any remaining unencumbered balances shall be transferred to
9 the general fund.

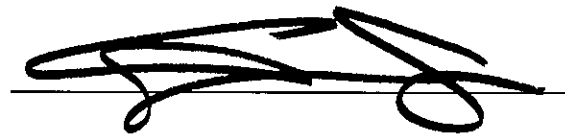
10 PART IX

11 SECTION 21. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 22. This Act shall take effect on July 1, 2016.

14

INTRODUCED BY:

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JAN 26 2016



H.B. NO. 2465

Report Title:

Non-General Funds; Repeal; Transfer of Balances

Description:

Repeals and transfers the unencumbered balances of various non-general funds and accounts recommended by the auditor in auditor's report no. 15-19. Amends the revenue sources of the spouse and child abuse special account.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

