



1 SECTION 4. Section 201-112, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) There is established the Hawaii television and film  
4 development board. The board shall be attached to the  
5 department of business, economic development, and tourism for  
6 administrative purposes only. The board shall administer the  
7 grant and venture capital investment programs [~~and the Hawaii  
8 television and film development special fund established under  
9 this part~~]. The board shall also assess and consider the  
10 overall viability and development of the television and film  
11 industries and make recommendations to appropriate state or  
12 county agencies."

13 SECTION 5. Section 201-113, Hawaii Revised Statutes, is  
14 repealed.

15 [~~["§201-113] Hawaii television and film development  
16 special fund. (a) There is established in the state treasury  
17 the Hawaii television and film development special fund into  
18 which shall be deposited:~~

19 ~~(1) Appropriations by the legislature;~~



1       ~~(2) Donations and contributions made by private~~  
2           ~~individuals or organizations for deposit into the~~  
3           ~~fund;~~

4       ~~(3) Grants provided by governmental agencies or any other~~  
5           ~~source; and~~

6       ~~(4) Any profits or other amounts received from venture~~  
7           ~~capital investments.~~

8       ~~(b) The fund shall be used by the board to assist in, and~~  
9       ~~provide incentives for, the production of eligible Hawaii~~  
10       ~~projects that are in compliance with criteria and standards~~  
11       ~~established by the board in accordance with rules adopted by the~~  
12       ~~board pursuant to chapter 91. In particular, the board shall~~  
13       ~~adopt rules to provide for the implementation of the following~~  
14       ~~programs:~~

15       ~~(1) A grant program. The board shall adopt rules pursuant~~  
16           ~~to chapter 91 to provide conditions and qualifications~~  
17           ~~for grants. Applications for grants shall be made to~~  
18           ~~the board and shall contain such information as the~~  
19           ~~board shall require by rules adopted pursuant to~~  
20           ~~chapter 91. At a minimum, the applicant shall agree~~  
21           ~~to the following conditions:~~



- 1           ~~(A) The grant shall be used exclusively for eligible~~
- 2           ~~Hawaii projects,~~
- 3           ~~(B) The applicant shall have applied for or received~~
- 4           ~~all applicable licenses and permits,~~
- 5           ~~(C) The applicant shall comply with applicable~~
- 6           ~~federal and state laws prohibiting discrimination~~
- 7           ~~against any person on the basis of race, color,~~
- 8           ~~national origin, religion, creed, sex, age, or~~
- 9           ~~physical handicap,~~
- 10          ~~(D) The applicant shall comply with other~~
- 11          ~~requirements as the board may prescribe,~~
- 12          ~~(E) All activities undertaken with funds received~~
- 13          ~~shall comply with all applicable federal, state,~~
- 14          ~~and county statutes and ordinances,~~
- 15          ~~(F) The applicant shall indemnify and save harmless~~
- 16          ~~the State of Hawaii and its officers, agents, and~~
- 17          ~~employees from and against any and all claims~~
- 18          ~~arising out of or resulting from activities~~
- 19          ~~carried out or projects undertaken with funds~~
- 20          ~~provided hereunder, and procure sufficient~~



1                   ~~insurance to provide this indemnification if~~  
2                   ~~requested to do so by the department,~~

3           ~~(G) The applicant shall make available to the board~~  
4           ~~all records the applicant may have relating to~~  
5           ~~the project, to allow the board to monitor the~~  
6           ~~applicant's compliance with the purpose of this~~  
7           ~~chapter; and~~

8           ~~(H) The applicant, to the satisfaction of the board,~~  
9           ~~shall establish that sufficient funds are~~  
10           ~~available for the completion of the project for~~  
11           ~~the purpose for which the grant is awarded; and~~

12       ~~(2) A venture capital program. The board shall adopt~~  
13       ~~rules pursuant to chapter 91 to provide conditions and~~  
14       ~~qualifications for venture capital investments in~~  
15       ~~eligible Hawaii projects. The program may include a~~  
16       ~~written agreement between the borrower and the board,~~  
17       ~~as the representative of the State, that as~~  
18       ~~consideration for the venture capital investment made~~  
19       ~~under this part, the borrower shall share any~~  
20       ~~royalties, licenses, titles, rights, or any other~~  
21       ~~monetary benefits that may accrue to the borrower~~





1 (b) Moneys in the [~~trust~~] special fund shall be used  
2 exclusively to provide for the development and implementation of  
3 emergency measures to respond to any tourism emergency pursuant  
4 to section 201B-9, including providing emergency assistance to  
5 tourists during the tourism emergency.

6 (c) Use of the [~~trust~~] special fund, consistent with  
7 subsection (b), shall be provided for in articles, bylaws,  
8 resolutions, or other instruments executed by the board as  
9 trustee for the [~~trust~~] special fund."

10 SECTION 8. Section 237D-6.5, Hawaii Revised Statutes, is  
11 amended by amending subsection (b) to read as follows:

12 "(b) Revenues collected under this chapter shall be  
13 distributed as follows, with the excess revenues to be deposited  
14 into the general fund:

15 (1) \$26,500,000 shall be allocated to the convention  
16 center enterprise special fund established under  
17 section 201B-8;

18 (2) \$82,000,000 shall be allocated to the tourism special  
19 fund established under section 201B-11; provided that:

20 (A) Beginning on July 1, 2012, and ending on June 30,  
21 2015, \$2,000,000 shall be expended from the



1           tourism special fund for development and  
2           implementation of initiatives to take advantage  
3           of expanded visa programs and increased travel  
4           opportunities for international visitors to  
5           Hawaii;

6           (B) Of the \$82,000,000 allocated:

7           (i) \$1,000,000 shall be allocated for the  
8           operation of a Hawaiian center and the  
9           museum of Hawaiian music and dance at the  
10          Hawaii convention center; and

11          (ii) 0.5 per cent of the \$82,000,000 shall be  
12          transferred to a sub-account in the tourism  
13          special fund to provide funding for a safety  
14          and security budget, in accordance with the  
15          Hawaii tourism strategic plan 2005-2015; and

16          (C) Of the revenues remaining in the tourism special  
17          fund after revenues have been deposited as  
18          provided in this paragraph and except for any sum  
19          authorized by the legislature for expenditure  
20          from revenues subject to this paragraph,  
21          beginning July 1, 2007, funds shall be deposited





1 into the tourism emergency [~~trust~~] special fund,  
2 established in section 201B-10, in a manner  
3 sufficient to maintain a fund balance of  
4 \$5,000,000 in the tourism emergency [~~trust~~]  
5 special fund;

6 (3) \$103,000,000 for fiscal year 2014-2015, \$103,000,000  
7 for fiscal year 2015-2016, and \$93,000,000 for each  
8 fiscal year thereafter shall be allocated as follows:  
9 Kauai county shall receive 14.5 per cent, Hawaii  
10 county shall receive 18.6 per cent, city and county of  
11 Honolulu shall receive 44.1 per cent, and Maui county  
12 shall receive 22.8 per cent; provided that commencing  
13 with fiscal year 2018-2019, a sum that represents the  
14 difference between a county public employer's annual  
15 required contribution for the separate trust fund  
16 established under section 87A-42 and the amount of the  
17 county public employer's contributions into that trust  
18 fund shall be retained by the state director of  
19 finance and deposited to the credit of the county  
20 public employer's annual required contribution into  
21 that trust fund in each fiscal year, as provided in



- 1 section 87A-42, if the respective county fails to  
2 remit the total amount of the county's required annual  
3 contributions, as required under section 87A-43;
- 4 (4) \$3,000,000 shall be allocated to the Turtle Bay  
5 conservation easement special fund established under  
6 section 201B-8.6 for the payment of debt service on  
7 revenue bonds, the proceeds of which were used to  
8 acquire the conservation easement in Turtle Bay, Oahu,  
9 until the bonds are fully amortized; and
- 10 (5) Of the excess revenues deposited into the general fund  
11 pursuant to this subsection, \$3,000,000 shall be  
12 allocated subject to the mutual agreement of the board  
13 of land and natural resources and the board of  
14 directors of the Hawaii tourism authority in  
15 accordance with the Hawaii tourism authority strategic  
16 plan for:
- 17 (A) The protection, preservation, and enhancement of  
18 natural resources important to the visitor  
19 industry;
- 20 (B) Planning, construction, and repair of facilities;  
21 and



1 (C) Operation and maintenance costs of public lands  
2 connected with enhancing the visitor experience.

3 All transient accommodations taxes shall be paid into the  
4 state treasury each month within ten days after collection and  
5 shall be kept by the state director of finance in special  
6 accounts for distribution as provided in this subsection.

7 As used in this subsection, "fiscal year" means the twelve-  
8 month period beginning on July 1 of a calendar year and ending  
9 on June 30 of the following calendar year."

10 PART IV

11 SECTION 9. The purpose of this part is to reclassify the  
12 various housing loan special funds established pursuant to  
13 section 201H-80, Hawaii Revised Statutes, as revolving funds.

14 The legislature finds that each of these funds functions  
15 as, and meets the criteria for, a revolving fund and should be  
16 reclassified as a revolving fund.

17 SECTION 10. Section 36-27, Hawaii Revised Statutes, is  
18 amended by amending subsection (a) to read as follows:

19 "(a) Except as provided in this section, and  
20 notwithstanding any other law to the contrary, from time to  
21 time, the director of finance, for the purpose of defraying the



1 prorated estimate of central service expenses of government in  
2 relation to all special funds, except the:

3 (1) Special out-of-school time instructional program fund  
4 under section 302A-1310;

5 (2) School cafeteria special funds of the department of  
6 education;

7 (3) Special funds of the University of Hawaii;

8 (4) State educational facilities improvement special fund;

9 (5) Convention center enterprise special fund under  
10 section 201B-8;

11 (6) Special funds established by section 206E-6;

12 (7) Housing loan program revenue bond special fund;

13 (8) Housing project bond [~~special~~] revolving fund;

14 (9) Aloha Tower fund created by section 206J-17;

15 (10) Funds of the employees' retirement system created by  
16 section 88-109;

17 (11) Hawaii hurricane relief fund established under chapter  
18 431P;

19 (12) Hawaii health systems corporation special funds and  
20 the subaccounts of its regional system boards;



- 1       (13)    Tourism special fund established under section 201B-
- 2                11;
- 3       (14)    Universal service fund established under section 269-
- 4                42;
- 5       (15)    Emergency and budget reserve fund under section 328L-
- 6                3;
- 7       (16)    Public schools special fees and charges fund under
- 8                section 302A-1130;
- 9       (17)    Sport fish special fund under section 187A-9.5;
- 10       (18)    Glass advance disposal fee established by section
- 11               342G-82;
- 12       (19)    Center for nursing special fund under section 304A-
- 13               2163;
- 14       (20)    Passenger facility charge special fund established by
- 15               section 261-5.5;
- 16       (21)    Court interpreting services revolving fund under
- 17               section 607-1.5;
- 18       (22)    Hawaii cancer research special fund;
- 19       (23)    Community health centers special fund;
- 20       (24)    Emergency medical services special fund;



- 1       (25) Rental motor vehicle customer facility charge special  
2           fund established under section 261-5.6;
- 3       (26) Shared services technology special fund under section  
4           27-43;
- 5       (27) Automated victim information and notification system  
6           special fund established under section 353-136;
- 7       (28) Deposit beverage container deposit special fund under  
8           section 342G-104; and
- 9       (29) Hospital sustainability program special fund under Act  
10           217, Session Laws of Hawaii 2012, as amended by Act  
11           141, Session Laws of Hawaii 2013;
- 12    [+] (30) [+] Nursing facility sustainability program special fund  
13           under Act 156, Session Laws of Hawaii 2012;
- 14    [+] (31) Hawaii 3R's school improvement fund[+] under section  
15           302A-1502.4; and
- 16    [+] (32) [+] After-school plus program revolving fund under  
17           section 302A-1149.5,
- 18 shall deduct five per cent of all receipts of all special funds,  
19 which deduction shall be transferred to the general fund of the  
20 State and become general realizations of the State. All  
21 officers of the State and other persons having power to allocate



1 or disburse any special funds shall cooperate with the director  
2 in effecting these transfers. To determine the proper revenue  
3 base upon which the central service assessment is to be  
4 calculated, the director shall adopt rules pursuant to chapter  
5 91 for the purpose of suspending or limiting the application of  
6 the central service assessment of any fund. No later than  
7 twenty days prior to the convening of each regular session of  
8 the legislature, the director shall report all central service  
9 assessments made during the preceding fiscal year."

10 SECTION 11. Section 201H-75, Hawaii Revised Statutes, is  
11 amended by amending subsection (c) to read as follows:

12 "(c) The trustee shall also be authorized by the  
13 corporation to hold and administer any housing project bond  
14 [~~special~~] revolving funds and housing loan program revenue bond  
15 [~~special~~] revolving funds established pursuant to section 201H-  
16 80. The trustee may receive and receipt for, hold, and  
17 administer the revenues derived by the corporation from any  
18 housing project or projects or loan program for which the bonds  
19 are issued or the projects or loan programs pledged to the  
20 payment of the bonds. The trustee shall apply the revenues to  
21 the payment of the cost of administering, operating, and



1 maintaining the housing project or projects or loan program; to  
2 pay the principal of and the interest on the bonds; to the  
3 establishment of reserves; and to other purposes as may be  
4 authorized in the proceedings providing for the issuance of the  
5 bonds."

6 SECTION 12. Section 201H-80, Hawaii Revised Statutes, is  
7 amended as follows:

8 1. By amending its title to read:

9 "[+]§201H-80[+] Housing finance revolving fund; bond  
10 [~~special~~] revolving funds."

11 2. By amending subsections (b) to (d) to read as follows:

12 "(b) All moneys received and collected by the corporation,  
13 not otherwise pledged or obligated nor required by law to be  
14 placed in any other special or revolving fund, shall be  
15 deposited in the housing finance revolving fund.

16 (c) A separate [~~special~~] revolving fund shall be  
17 established for each housing project or system of housing  
18 projects or loan program financed from the proceeds of bonds  
19 secured under the same trust indenture. Each fund shall be  
20 designated "housing project bond [~~special~~] revolving fund" or  
21 "housing loan program revenue bond [~~special~~] revolving fund", as





1 appropriate, and shall bear any additional designation as the  
2 corporation deems appropriate to properly identify the fund.

3 (d) Notwithstanding any other law to the contrary, all  
4 revenues, income, and receipts derived from a housing project or  
5 system of projects or loan program financed from the proceeds of  
6 bonds or pledged to the payment of the principal of and interest  
7 and premium on bonds, shall be paid into the housing project  
8 bond [~~special~~] revolving fund or housing loan program revenue  
9 bond [~~special~~] revolving fund established for the housing  
10 project or system of projects or loan program and applied as  
11 provided in the proceedings authorizing the issuance of the  
12 bonds."

13 SECTION 13. The housing loan program revenue bond special  
14 fund - rental housing system, established in 1987 and  
15 administered by the department of business, economic  
16 development, and tourism, shall be reclassified as a revolving  
17 fund and renamed the housing loan program revenue bond revolving  
18 fund - rental housing system.

19 SECTION 14. The housing loan program revolving bond fund,  
20 established in 1979 and administered by the department of  
21 business, economic development, and tourism, and also known as



1 the single family mortgage purchase revenue bond fund, shall be  
2 reclassified as a revolving fund.

3 SECTION 15. The housing project bond special fund - multi  
4 family, established in 1980 and administered by the department  
5 of business, economic development, and tourism, shall be  
6 reclassified as a revolving fund and be renamed the housing  
7 project bond revolving fund - multi family.

8 PART V

9 SECTION 16. The purpose of this part is to repeal the  
10 pineapple workers and retirees housing assistance fund.

11 The legislature finds that the fund does not meet the  
12 criteria for a special fund, does not serve the purpose for  
13 which it was created, and should be repealed.

14 SECTION 17. Section 201H-85, Hawaii Revised Statutes, is  
15 repealed.

16 ~~["~~§201H-85~~] Pineapple workers and retirees housing~~  
17 ~~assistance fund; established. (a) There is established in the~~  
18 ~~state treasury the pineapple workers and retirees housing~~  
19 ~~assistance fund to provide mortgage payments or rent subsidies~~  
20 ~~for eligible Del Monte Fresh Produce pineapple workers and~~  
21 ~~retirees and their families who are displaced or affected by the~~



1 ~~closure of Del Monte Fresh Produce. The pineapple workers and~~  
2 ~~retirees housing assistance fund shall be administered by the~~  
3 ~~corporation.~~

4 ~~(b) Moneys appropriated for the purposes of this section~~  
5 ~~shall be deposited into the pineapple workers and retirees~~  
6 ~~housing assistance fund; provided that, upon fulfillment of the~~  
7 ~~purposes of this section, all unencumbered moneys shall lapse~~  
8 ~~into the general fund. The corporation shall establish~~  
9 ~~guidelines with respect to eligible Del Monte Fresh Produce~~  
10 ~~pineapple workers and retirees and mortgage payments or rental~~  
11 ~~assistance payments under this section.~~

12 ~~(c) The corporation shall adopt rules in accordance with~~  
13 ~~chapter 91 to effectuate the purposes of this section." ]~~

14 PART VI

15 SECTION 18. The purpose of this part is to reclassify the  
16 rental housing trust fund as a revolving fund.

17 The legislature finds that the fund serves the purpose for  
18 which it was created, but does not meet the criteria for a trust  
19 fund, and should be reclassified as a revolving fund.

20 SECTION 19. Section 201H-6, Hawaii Revised Statutes, is  
21 amended by amending subsection (f) to read as follows:



1           "(f) The corporation, through the housing advocacy and  
2 information system, shall develop and maintain an affordable  
3 housing inventory registry to identify:

- 4           (1) Affordable housing projects developed by the  
5 corporation utilizing moneys in the rental housing  
6 ~~[trust]~~ revolving fund established pursuant to section  
7 201H-202 or the dwelling unit revolving fund~~[+]~~  
8 established pursuant to section 201H-191;
- 9           (2) State and federal public housing projects identified  
10 by the Hawaii public housing authority;
- 11           (3) United States Department of Housing and Urban  
12 Development Region 9 federally supported and privately  
13 managed housing projects; and
- 14           (4) State and county lands that may be developed for  
15 affordable housing, as defined in section 201H-57(b)."

16           SECTION 20. Chapter 201H, Hawaii Revised States, is  
17 amended by amending the title of part III, subpart J, to read as  
18 follows:

19                       "J. Rental Housing ~~[Trust]~~ Special Fund"

20           SECTION 21. Section 201H-201, Hawaii Revised Statutes, is  
21 amended by amending the definition of "fund" to read as follows:



1        ""Fund" means the rental housing [~~trust~~] revolving fund  
2 established [~~in this subpart.~~] pursuant to section 201H-202."

3        SECTION 22. Section 201H-202, Hawaii Revised Statutes, is  
4 amended by amending its title and subsection (a) to read as  
5 follows:

6        "§201H-202 Rental housing [~~trust~~] revolving fund. (a)  
7 There is established the rental housing [~~trust~~] revolving fund  
8 to be administered by the corporation."

9        SECTION 23. Section 247-7, Hawaii Revised Statutes, is  
10 amended to read as follows:

11        "§247-7 Disposition of taxes. All taxes collected under  
12 this chapter shall be paid into the state treasury to the credit  
13 of the general fund of the State, to be used and expended for  
14 the purposes for which the general fund was created and exists  
15 by law; provided that of the taxes collected each fiscal year:

16        (1) Ten per cent shall be paid into the land conservation  
17 fund established pursuant to section 173A-5;

18        (2) Twenty-five per cent from July 1, 2009, until June 30,  
19 2012; thirty per cent from July 1, 2012, until  
20 June 30, 2014; and fifty per cent in each fiscal year  
21 thereafter shall be paid into the rental housing



1            [~~trust~~] revolving fund established by section 201H-  
2            202; and

3            (3) Twenty per cent from July 1, 2009, until June 30,  
4            2012, and twenty-five per cent in each fiscal year  
5            thereafter shall be paid into the natural area reserve  
6            fund established by section 195-9; provided that the  
7            funds paid into the natural area reserve fund shall be  
8            annually disbursed by the department of land and  
9            natural resources in the following priority:

10           (A) To natural area partnership and forest  
11           stewardship programs after joint consultation  
12           with the forest stewardship committee and the  
13           natural area reserves system commission;

14           (B) Projects undertaken in accordance with watershed  
15           management plans pursuant to section 171-58 or  
16           watershed management plans negotiated with  
17           private landowners, and management of the natural  
18           area reserves system pursuant to section 195-3;  
19           and

20           (C) The youth conservation corps established under  
21           chapter 193."



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PART VII

SECTION 24. The purpose of this part is to repeal the renewable energy facility siting special fund.

The legislature finds that the fund does not serve the purpose for which it was created and should be repealed.

SECTION 25. Section 201N-11, Hawaii Revised Statutes, is repealed.

~~["§201N-11]—Renewable energy facility siting special fund; uses. (a) There is created within the state treasury a renewable energy facility siting special fund, which shall consist of:~~

- ~~(1) Moneys appropriated to the fund by the legislature;~~
- ~~(2) Permit plan application fees collected by the coordinator under this chapter; and~~
- ~~(3) Moneys allotted to the fund from other sources.~~

~~(b) Moneys from the fund shall be expended by the energy resources coordinator for the purposes of section 201N-4(a) and for the operation and administration of the renewable energy facility siting process pursuant to this chapter." ]~~



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PART VIII

SECTION 26. The purpose of this part is to repeal the public facility revenue bond special fund.

The legislature finds that the fund does not meet the purpose for which it was created and does not meet the criteria for a special fund. Accordingly, since the fund is an integral part of chapter 206E, part IV, the legislature finds that the entire part should be repealed.

SECTION 27. Chapter 206E, part IV, Hawaii Revised Statutes, is repealed.

PART IX

SECTION 28. The purpose of this part is to repeal the Hawaii technology loan revolving fund.

The legislature finds that the fund does not serve the purpose for which it was created and should be repealed.

SECTION 29. Section 206M-15.6, Hawaii Revised Statutes, is repealed.

~~["§206M-15.6] Hawaii technology loan revolving fund. There is established the Hawaii technology loan revolving fund for the purpose of investing in technology development in~~





1 ~~Hawaii. The following shall be deposited into the Hawaii~~  
2 ~~technology loan revolving fund.~~

- 3 ~~(1) Appropriations from the legislature;~~
- 4 ~~(2) Moneys received as repayments of loans;~~
- 5 ~~(3) Investment earnings;~~
- 6 ~~(4) Royalties;~~
- 7 ~~(5) Premiums, or fees or equity charged by the~~  
8 ~~corporation, or otherwise received by the corporation;~~
- 9 ~~and~~
- 10 ~~(6) Loans that are convertible to equity;~~

11 ~~provided that the total amount of moneys in the fund shall not~~  
12 ~~exceed \$2,000,000 at the end of any fiscal year." ]~~

13 PART X

14 SECTION 30. The purpose of this part is to repeal the  
15 Hawaii community-based economic development revolving fund.

16 The legislature finds that the fund does not meet the  
17 criteria for a revolving fund and should be repealed.

18 SECTION 31. Section 210D-8, Hawaii Revised Statutes, is  
19 amended to read as follows:



1           "§210D-8 Powers and duties. The department shall have the  
2 necessary powers to carry out the purposes of this chapter,  
3 including the following:

- 4           (1) With advice from the council, prescribe the  
5                 qualifications for eligibility of applicants for loans  
6                 and grants;
- 7           (2) With advice from the council, establish preferences  
8                 and priorities in determining eligibility for  
9                 financial assistance;
- 10          (3) Establish the conditions, consistent with the purpose  
11                 of this chapter, for the awarding of financial  
12                 assistance;
- 13          (4) Provide for inspection at reasonable hours of  
14                 facilities, books, and records of a community-based  
15                 organization that has applied for or has been awarded  
16                 financial assistance and require the submission of  
17                 progress and final reports;
- 18          (5) Provide loans and grants for community-based economic  
19                 development activities and community-based enterprises  
20                 for purposes consistent with this chapter;



1 (6) Determine the necessity for and the extent of security  
2 required in a loan;

3 (7) Prescribe and provide appropriate management  
4 counseling and monitoring of business activities;

5 ~~[(8) Administer the Hawaii community based economic  
6 development revolving fund;]~~

7 ~~[(9)]~~ (8) Include in its budget for subsequent fiscal  
8 periods amounts necessary to effectuate the purposes  
9 of this chapter;

10 ~~[(10)]~~ (9) Participate in loans made to qualified persons by  
11 private lenders;

12 ~~[(11)]~~ (10) Establish interest rates chargeable by the State  
13 for direct and participation loans; and

14 ~~[(12)]~~ (11) Adopt rules pursuant to chapter 91 to implement  
15 this chapter."

16 SECTION 32. Section 210D-4, Hawaii Revised Statutes, is  
17 repealed.

18 ~~["§210D-4 Hawaii community based economic development  
19 revolving fund; established. There is established a revolving  
20 fund to be known as the Hawaii community based economic  
21 development revolving fund from which moneys shall be loaned or~~



1 ~~granted by the department under this chapter. All moneys~~  
2 ~~appropriated to the fund by the legislature, received as~~  
3 ~~repayments of loans, payments of interest or fees, and all other~~  
4 ~~moneys received by the fund from any other source shall be~~  
5 ~~deposited into the revolving fund and used for the purposes of~~  
6 ~~this chapter. The department may use all appropriations and~~  
7 ~~other moneys in the revolving fund not appropriated for a~~  
8 ~~designated purpose to make grants or loans." ]~~

9 PART XI

10 SECTION 33. The purpose of this part is to repeal the  
11 capital formation revolving fund.

12 The legislature finds that the fund does not serve the  
13 purpose for which it was created, does not meet the criteria for  
14 a revolving fund, has never been used, has not supported any  
15 investment, and should be repealed. The legislature further  
16 finds that chapter 211G, Hawaii Revised Statutes, should be  
17 repealed because the fund is inactive.

18 SECTION 34. Section 211F-4, Hawaii Revised Statutes, is  
19 amended by amending subsection (a) to read as follows:



1           "(a) The corporation shall have all of the powers  
2 necessary to carry out its purposes which shall include but not  
3 be limited to the power to:

4           (1) Adopt rules pursuant to chapter 91 to carry out the  
5 purposes of this chapter;

6           (2) Adopt an official seal;

7           (3) Sue and be sued, in its own name;

8           (4) Finance, conduct, or cooperate in financing or  
9 conducting technological, business, financial, or  
10 other investigations that are related to or likely to  
11 lead to business and economic development by making  
12 and entering into contracts and other appropriate  
13 arrangements, including the provision of loans, start-  
14 up and expansion capital, and other forms of  
15 assistance;

16           (5) Solicit, study, and assist in the preparation of  
17 business plans and proposals;

18           (6) Provide advice and technical and marketing assistance,  
19 support, and promotion to enterprises in which  
20 investments have been made;



- 1           (7)   Coordinate the corporation's programs with any  
2                   education and training program;
- 3           (8)   Carry out specialized programs designed to encourage  
4                   the development of new products, businesses, and  
5                   markets;
- 6           (9)   Prepare, publish, and distribute such technical  
7                   studies, reports, bulletins, and other materials as it  
8                   deems appropriate, subject only to the maintenance and  
9                   respect for confidentiality of client proprietary  
10                  information;
- 11          (10)   Organize, conduct, sponsor, or cooperate in and assist  
12                  in the conduct of conferences, demonstrations, and  
13                  studies relating to the stimulation and formation of  
14                  businesses [~~and to fulfilling the objectives and~~  
15                  purposes of chapter 211G];
- 16          (11)   Provide and pay for such advisory services and  
17                  technical, managerial, and marketing assistance,  
18                  support, and promotion as may be necessary or  
19                  desirable to carry out the purposes of this chapter;
- 20          (12)   Acquire, hold, and sell qualified securities;



- 1           (13) Consent, subject to the provisions of any contract  
2           with noteholders or bondholders, whenever the  
3           corporation deems it necessary or desirable in the  
4           fulfillment of the purposes of this chapter, to the  
5           modification, with respect to rate of interest, time  
6           of payment of any installment of principal or  
7           interest, or any other terms, of any contract or  
8           agreement of any kind to which the corporation is a  
9           party;
- 10          (14) Accept donations, grants, bequests, and devises of  
11          money, property, service, or other things of value  
12          that may be received from the United States or any  
13          agency thereof, any governmental agency, or any public  
14          or private institution, person, firm, or corporation,  
15          to be held, used, or applied for any or all of the  
16          purposes specified in this chapter. Receipt of each  
17          donation or grant shall be detailed in the annual  
18          report of the corporation. The report shall include  
19          the identity of the donor or lender, the nature of the  
20          transaction, and any conditions attaching thereto;



- 1       (15) Invest any funds held in reserves or sinking funds, or
- 2           any funds not required for immediate disbursement, in
- 3           such investments as may be lawful for fiduciaries in
- 4           the State;
- 5       (16) Acquire real property, or an interest therein, by
- 6           purchase or foreclosure, where that acquisition is
- 7           necessary or appropriate to protect or secure any
- 8           investment or loan in which the corporation has an
- 9           interest; sell, transfer, and convey the property to a
- 10          buyer and if the sale, transfer, or conveyance cannot
- 11          be effected with reasonable promptness or at a
- 12          reasonable price, to lease the property to a tenant;
- 13       (17) Acquire, own, hold, dispose of, and encumber personal
- 14          property of any nature, or any interest therein;
- 15       (18) Enter into agreements or other transactions with any
- 16          federal, state, or county agency;
- 17       (19) Make contracts and execute all instruments necessary
- 18          or convenient for the carrying on of its business;
- 19       (20) Appear in its own behalf before state, county, or
- 20          federal agencies;
- 21       (21) Procure insurance as may be necessary;





1 (22) Appoint officers, employees, consultants, agents, and  
 2 advisors who shall not be subject to chapter 76, and  
 3 prescribe their duties and fix compensation within the  
 4 limitations provided by law;

5 (23) Appoint advisory committees as deemed necessary; and

6 (24) Exercise any other powers of a corporation organized  
 7 under the laws of the State."

8 SECTION 35. Chapter 211G, Hawaii Revised Statutes, is  
 9 repealed.

10 PART XII

11 SECTION 36. The purpose of this part is to repeal the  
 12 statewide geospatial information and data integration special  
 13 fund.

14 The legislature finds that the fund does not serve the  
 15 purpose for which it was created and should be repealed.

16 SECTION 37. Section 225M-6, Hawaii Revised Statutes, is  
 17 repealed.

18 [~~§225M-6 Fees for statewide planning and geographic~~  
 19 ~~information system services and products. The office of~~  
 20 ~~planning may charge fees for statewide planning and geographic~~  
 21 ~~information system services and products. All fees collected~~



1 ~~for statewide planning and geographic information system~~  
2 ~~analyses and other related services shall be deposited into the~~  
3 ~~statewide geospatial information and data integration special~~  
4 ~~fund for the sole purpose of supporting the statewide planning~~  
5 ~~and geographic information system. The office shall adopt rules~~  
6 ~~setting fees for statewide planning and geographic information~~  
7 ~~system services and products."~~]

8 SECTION 38. Section 225M-7, Hawaii Revised Statutes, is  
9 repealed.

10 ~~["~~§225M-7~~ Statewide geospatial information and data~~  
11 ~~integration special fund. (a) There is established in the~~  
12 ~~state treasury the statewide geospatial information and data~~  
13 ~~integration special fund, into which shall be deposited:~~

14 ~~(1) Moneys directed, allocated, or disbursed to the~~  
15 ~~statewide geospatial information and data integration~~  
16 ~~program from other government agencies or private~~  
17 ~~sources to help support the acquisition of hardware,~~  
18 ~~software, applications, and databases;~~

19 ~~(2) Moneys directed, allocated, or disbursed to the~~  
20 ~~statewide geospatial technologies program from non-~~



1 ~~state sources, including but not limited to grants,~~  
2 ~~awards, and donations;~~

3 ~~(3) Moneys collected as fees for statewide planning and~~  
4 ~~geographic information system services rendered; and~~

5 ~~(4) Investment earnings credited to the assets of the fund~~  
6 ~~and all interest on special fund balances.~~

7 ~~(b) The statewide geospatial information and data~~  
8 ~~integration special fund shall be used to help defray the cost~~  
9 ~~of, including but not limited to the following:~~

10 ~~(1) Programs and activities to implement this chapter,~~  
11 ~~including the provision of state funds to match~~  
12 ~~federal funds from the United States Geological Survey~~  
13 ~~or other federal departments; and~~

14 ~~(2) Operating costs of the statewide planning and~~  
15 ~~geographic information system, including acquisition~~  
16 ~~and maintenance of hardware or software necessary to~~  
17 ~~implement this chapter, acquisition and maintenance of~~  
18 ~~geospatial and other data, application development,~~  
19 ~~training, and other products or services of general~~  
20 ~~benefit to the statewide geospatial information and~~  
21 ~~data integration program and its stakeholders." ]~~



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PART XIII

SECTION 39. The purpose of this part is to repeal the fee simple residential revolving fund.

The legislature finds that the fund no longer serves the purpose for which it was created, does not meet the criteria for a revolving fund, and should be repealed.

SECTION 40. Section 201H-211, Hawaii Revised Statutes, is amended to read as follows:

"§201H-211 Expenditures of revolving funds under the corporation exempt from appropriation and allotment. Except as to administrative expenditures, and except as otherwise provided by law, expenditures from the revolving funds administered by the corporation under subparts I and J of part III, relating to financing programs, or ~~sections~~ section 201H-80~~[7]~~ or 201H-123~~[7 or 516-44]~~ may be made by the corporation without appropriation or allotment by the legislature; provided that no expenditure shall be made from and no obligation shall be incurred against any revolving fund in excess of the amount standing to the credit of the fund or for any purpose for which the fund may not lawfully be expended. Nothing in sections 37-31 to 37-41 shall require the proceeds of the revolving funds



1 identified in subparts I and J of part III, or [sections]  
2 section 201H-80 [7] or 201H-123 [7, ~~or 516-44~~] to be reappropriated  
3 annually."

4 SECTION 41. Section 516-5, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "§516-5 **Penalty.** Any person who violates this chapter  
7 shall be fined not more than \$5,000 nor less than \$1,000 or  
8 imprisoned not more than one year, or both. [~~All fines~~  
9 ~~collected shall be deposited in the fee simple [residential]~~  
10 ~~revolving fund created by this chapter.~~]"

11 SECTION 42. Section 516-45, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "§516-45 **General obligation bonds.** The director of  
14 finance may, from time to time, issue general obligation bonds  
15 in such amounts as may be authorized by the legislature, for the  
16 purpose of acquisition by the Hawaii housing finance and  
17 development corporation of residential houselots within  
18 development tracts pursuant to chapter 516, part II or for the  
19 acquisition of suitable properties to exchange pursuant to  
20 section 516-24.5 or for the acquisition by the department of  
21 land and natural resources under section 171-50.1 of suitable



1 properties for exchange pursuant to section 171-50.2 to  
2 effectuate the purpose of this chapter. [~~The principal and~~  
3 ~~interest of general obligation bonds issued pursuant to this~~  
4 ~~section shall be reimbursed to the general fund from the fee~~  
5 ~~simple residential revolving fund as provided in section 516-~~  
6 ~~44.~~] Pending the receipt of funds from the issuance and sale of  
7 general obligation bonds, amounts required within the limits of  
8 legislative authorization may be advanced to the Hawaii housing  
9 finance and development corporation from the general fund of the  
10 State. Upon the receipt of the bond funds, the general fund  
11 shall be reimbursed the amount advanced."

12 SECTION 43. Section 516-44, Hawaii Revised Statutes, is  
13 repealed.

14 [~~§516-44 Fee simple residential revolving fund. A fee~~  
15 ~~simple residential revolving fund is created. The funds~~  
16 ~~appropriated for the purposes of this chapter and chapter 519~~  
17 ~~and all moneys received or collected by the Hawaii housing~~  
18 ~~finance and development corporation under this chapter and~~  
19 ~~chapter 519 shall be deposited in the revolving fund. Moneys~~  
20 ~~collected to reimburse the corporation from the lessees for~~  
21 ~~their pro rata share of the direct costs incurred by the~~



1 ~~corporation under this chapter shall be deposited into the~~  
2 ~~revolving fund. The proceeds in the funds shall first be used~~  
3 ~~to pay the principal and interest on bonds or other indebtedness~~  
4 ~~issued by the corporation, or by the State, and then for~~  
5 ~~necessary expenses, including indirect costs of the corporation~~  
6 ~~in administering chapters 516 and 519.~~

7 ~~Moneys in the fund shall be used to pay all costs of~~  
8 ~~chapters 516 and 519 including administration." ]~~

9 PART XIV

10 SECTION 44. All balances in the funds renamed and  
11 reclassified pursuant to sections 7, 12, 13, 14, 15, and 22 of  
12 this Act shall remain in their respective funds as if no  
13 renaming and reclassification had occurred.

14 SECTION 45. On July 1, 2015, all unencumbered balances  
15 remaining in the funds repealed by sections 5, 17, 25, 27, 29,  
16 32, 35, 38, and 43 of this Act, shall lapse to the credit of the  
17 general fund.

18 SECTION 46. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

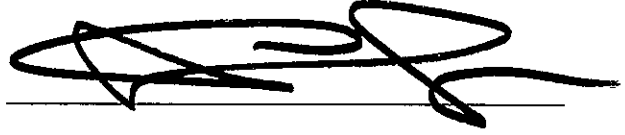


# H.B. NO. 79

1 SECTION 47. This Act shall take effect on July 1, 2015.

2

INTRODUCED BY: \_\_\_\_\_

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JAN 21 2015





# H.B. NO. 79

**Report Title:**

Non-General Funds; Reclassification; Repeal

**Description:**

Reclassifies and repeals various non-general funds, as recommended by the auditor in auditor's report no. 14-13.

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

