

JAN 28 2015

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT,
AND TOURISM.

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

1 SECTION 1. The legislature finds that among the many
2 special and revolving funds currently administered by the
3 department of business, economic development, and tourism,
4 thirteen funds have become either dormant or unnecessary. The
5 legislature further finds that the remaining balances in these
6 funds would be more effectively used if transferred to the high
7 technology loan revolving fund.

8 The purpose of this Act is to repeal the following funds
9 and transfer the unencumbered balances into the high technology
10 loan revolving fund:

- 11 (1) Housing finance revolving fund;
- 12 (2) Brownfields cleanup revolving loan fund;
- 13 (3) Tourism emergency trust fund;
- 14 (4) Hawaii community development revolving fund;
- 15 (5) Kalaeloa community development revolving fund;
- 16 (6) Heeia community development revolving fund;



- 1 (7) High technology special fund;
- 2 (8) State disaster revolving loan fund;
- 3 (9) Hawaii community-based economic development revolving
- 4 fund;
- 5 (10) Foreign-trade zones special fund;
- 6 (11) Hydrogen investment capital special fund;
- 7 (12) Natural energy laboratory of Hawaii authority special
- 8 fund; and
- 9 (13) Fee simple residential revolving fund.

10 SECTION 2. Section 201H-80, Hawaii Revised Statutes, is
 11 amended to read as follows:

12 "[+] §201H-80 [+] [~~Housing finance revolving fund; bond~~]
 13 Housing bond special funds. [~~(a) There is created a housing~~
 14 ~~finance revolving fund to be administered by the corporation.~~
 15 ~~Notwithstanding sections 36-21 and 201H-191, the proceeds in the~~
 16 ~~fund shall be used for long term and other special financings of~~
 17 ~~the corporation and for the necessary expenses in administering~~
 18 ~~this part.~~
 19 ~~(b) All moneys received and collected by the corporation,~~
 20 ~~not otherwise pledged or obligated nor required by law to be~~



1 ~~placed in any other special fund, shall be deposited in the~~
2 ~~housing finance revolving fund.~~

3 ~~(e)]~~ (a) A separate special fund shall be established for
4 each housing project or system of housing projects or loan
5 program financed from the proceeds of bonds secured under the
6 same trust indenture. Each fund shall be designated "housing
7 project bond special fund" or "housing loan program revenue bond
8 special fund", as appropriate, and shall bear any additional
9 designation as the corporation deems appropriate to properly
10 identify the fund.

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

20 SECTION 3. Section 201H-86, Hawaii Revised Statutes, is
21 amended by amending subsection (c) to read as follows:



1 "(c) The corporation shall impose conditions or
2 restrictions on the low-income housing tax credit loan,
3 including:

- 4 (1) A requirement providing for acceleration and repayment
5 on any no-interest loan under this section to assure
6 that the building with respect to which the loan is
7 made remains a qualified low-income building under
8 section 42 of the Internal Revenue Code or section
9 1602 of the American Recovery and Reinvestment Act of
10 2009, Public Law 111-5. Any such repayment shall be
11 payable to the [~~housing finance revolving~~] _____
12 fund and may be enforced by means of liens or other
13 methods as the corporation deems appropriate;
- 14 (2) The same limitations on rent, income, and use
15 restrictions as applied under an allocation of a
16 housing credit dollar amount allocated under section
17 42 of the Internal Revenue Code; and
- 18 (3) The payment of reasonable fees for the corporation to
19 perform or cause to be performed asset management
20 functions to ensure compliance with section 42 of the
21 Internal Revenue Code and the long-term viability of



1 buildings funded by any no-interest loan under this
2 section."

3 SECTION 4. Section 201H-211, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "§201H-211 Expenditures of revolving funds under the
6 corporation exempt from appropriation and allotment. Except as
7 to administrative expenditures, and except as otherwise provided
8 by law, expenditures from the revolving funds administered by
9 the corporation under subparts I and J of part III, relating to
10 financing programs, or [~~sections 201H-80,~~] section 201H-123 [~~, or~~
11 ~~516-44~~] may be made by the corporation without appropriation or
12 allotment by the legislature; provided that no expenditure shall
13 be made from and no obligation shall be incurred against any
14 revolving fund in excess of the amount standing to the credit of
15 the fund or for any purpose for which the fund may not lawfully
16 be expended. Nothing in sections 37-31 to 37-41 shall require
17 the proceeds of the revolving funds identified in subparts I and
18 J of part III, or [~~sections 201H-80,~~] section 201H-123 [~~, or~~
19 ~~516-44~~] to be reappropriated annually."

20 SECTION 5. Section 206E-6, Hawaii Revised Statutes, is
21 amended by amending subsection (g) to read as follows:



1 "(g) All sums collected under this section shall be
2 deposited in the [~~Hawaii community development revolving fund~~
3 ~~established by section 206E-16;~~] _____ fund; except that
4 notwithstanding section 206E-16, all moneys collected on account
5 of assessments and interest thereon for any specific public
6 facilities financed by the issuance of bonds shall be set apart
7 in a separate special fund and applied solely to the payment of
8 the principal and interest on these bonds, the cost of
9 administering, operating, and maintaining the program, the
10 establishment of reserves, and other purposes as may be
11 authorized in the proceedings providing for the issuance of the
12 bonds. If any surplus remains in any special fund after the
13 payment of the bonds chargeable against such fund, it shall be
14 credited to and become a part of the [~~Hawaii community~~
15 ~~development revolving~~] _____ fund. Moneys in the [~~Hawaii~~
16 ~~community development revolving~~] _____ fund may be used to
17 make up any deficiencies in the special fund."

18 SECTION 6. Section 206E-157, Hawaii Revised Statutes, is
19 amended by amending subsection (b) to read as follows:

20 "(b) Notwithstanding any other law to the contrary,
21 [~~including particularly section 206E-16,~~] all revenues, income,



1 and receipts derived from the public facility for which the
2 revenue bonds are issued shall be paid into the public facility
3 revenue bond fund established for that public facility and
4 applied as provided in the proceedings authorizing the issuance
5 of the revenue bonds."

6 SECTION 7. Section 206E-184, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) In addition to the conditions and terms set forth in
9 this part, any special facility lease entered into by the
10 authority shall at least contain provisions obligating the other
11 person to the special facility lease:

12 (1) To pay to the authority during the initial term of the
13 special facility lease, whether the special facility
14 is capable of being used or occupied or is being used
15 or occupied by the other person, a rental or rentals
16 at the time or times and in the amount or amounts that
17 will be sufficient:

18 (A) To pay the principal and interest on all special
19 facility revenue bonds issued for the special
20 facility;



1 (B) To establish or maintain any reserves for these
2 payments; and

3 (C) To pay all fees and expenses of the trustees,
4 paying agents, transfer agents, and other fiscal
5 agents for the special facility revenue bonds
6 issued for the special facility;

7 (2) To pay to the authority:

8 (A) A ground rental, as determined by the authority,
9 if the land on which the special facility is
10 located was not acquired from the proceeds of the
11 special facility revenue bonds; or

12 (B) A properly allocable share of the administrative
13 costs of the authority in carrying out the
14 special facility lease and administering the
15 special facility revenue bonds issued for the
16 special facility, if the land was acquired from
17 the proceeds of the special facility revenue
18 bonds;

19 (3) To either operate, maintain, and repair the special
20 facility and pay the costs thereof or to pay to the



1 authority all costs of operation, maintenance, and
2 repair of the special facility;

3 (4) To:

4 (A) Insure, or cause to be insured, the special
5 facility under builder's risk insurance (or
6 similar insurance) in the amount of the cost of
7 construction of the special facility to be
8 financed from the proceeds of the special
9 facility revenue bonds;

10 (B) Procure and maintain, or cause to be procured or
11 maintained, to the extent commercially available,
12 a comprehensive insurance policy providing
13 protection and insuring the authority and its
14 officers, agents, servants, and employees (and so
15 long as special facility revenue bonds are
16 outstanding, the trustee) against all direct or
17 contingent loss or liability for damages for
18 personal injury or death or damage to property,
19 including loss of use thereof, occurring on or in
20 any way related to the special facility or
21 occasioned by reason of occupancy by and the



1 operations of the other person upon, in, and
2 around the special facility;

3 (C) Provide all risk casualty insurance, including
4 insurance against loss or damage by fire,
5 lightning, flood, earthquake, typhoon, or
6 hurricane, with standard extended coverage and
7 standard vandalism and other malicious mischief
8 endorsements; and

9 (D) Provide insurance for workers' compensation and
10 employer's liability for personal injury or death
11 or damage to property (the other party may self-
12 insure for workers' compensation if permitted by
13 law);

14 provided that all policies with respect to loss or
15 damage of property including fire or other casualty
16 and extended coverage and builder's risk shall provide
17 for payments of the losses to the authority, the other
18 person, or the trustee as their respective interests
19 may appear; and provided further that the insurance
20 may be procured and maintained as part of or in
21 conjunction with other policies carried by the other



1 person; and provided further that the insurance shall
2 name the authority, and so long as any special
3 facility revenue bonds are outstanding, the trustee,
4 as additional insured; and

5 (5) To indemnify, save, and hold the authority, the
6 trustee and their respective agents, officers,
7 members, and employees harmless from and against all
8 claims and actions and all costs and expenses
9 incidental to the investigation and defense thereof,
10 by or on behalf of any person, firm, or corporation,
11 based upon or arising out of the special facility or
12 the other person's use and occupancy thereof,
13 including, without limitation, from and against all
14 claims and actions based upon and arising from any:

15 (A) Condition of the special facility;

16 (B) Breach or default on the part of the other person
17 in the performance of any of the person's
18 obligations under the special facility lease;

19 (C) Fault or act of negligence of the other person or
20 the person's agents, contractors, servants,
21 employees, or licensees; or



1 (D) Accident to, or injury or death of, any person or
2 loss of, or damage to any property occurring in
3 or about the special facility, including any
4 claims or actions based upon or arising by reason
5 of the negligence or any act of the other person.

6 Any moneys received by the authority pursuant to paragraphs
7 (2) and (3) shall be paid into the [~~Hawaii community development~~
8 ~~revelving~~] _____ fund and shall not be nor be deemed to be
9 revenues of the special facility.

10 SECTION 8. Section 206E-185, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "§206E-185 **Special facility revenue bonds.** All special
13 facility revenue bonds authorized to be issued in principal
14 amounts not to exceed the total amount of bonds authorized by
15 the legislature shall be issued pursuant to part III of chapter
16 39, except as follows:

17 (1) No revenue bonds shall be issued unless at the time of
18 issuance the authority shall have entered into a
19 special facility lease with respect to the special
20 facility for which the revenue bonds are to be issued;



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- 1 (2) The revenue bonds shall be issued in the name of the
2 authority, and not in the name of the State;
- 3 (3) The revenue bonds shall be payable solely from and
4 secured solely by the revenues derived by the
5 authority from the special facility for which they are
6 issued;
- 7 (4) The final maturity date of the revenue bonds shall not
8 be later than either the estimated life of the special
9 facility for which they are issued or the initial term
10 of the special facility lease;
- 11 (5) If deemed necessary or advisable by the authority, or
12 to permit the obligations of the other person to the
13 special facility lease to be registered under the U.S.
14 Securities Act of 1933, the authority, with the
15 approval of the director of finance, may appoint a
16 national or state bank within or without the State to
17 serve as trustee for the holders of the revenue bonds
18 and may enter into a trust indenture or trust
19 agreement with the trustee. The trustee may be
20 authorized by the authority to collect, hold, and
21 administer the revenues derived from the special



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1 facility for which the revenue bonds are issued and to
2 apply the revenues to the payment of the principal and
3 interest on the revenue bonds. If any trustee shall
4 be appointed, any trust indenture or agreement entered
5 into by the authority with the trustee may contain the
6 covenants and provisions authorized by part III of
7 chapter 39 to be inserted in a resolution adopted or
8 certificate issued, as though the words "resolution"
9 or "certificate" as used in that part read "trust
10 indenture or agreement". The covenants and provisions
11 shall not be required to be included in the resolution
12 or certificate authorizing the issuance of the revenue
13 bonds if included in the trust agreement or indenture.
14 Any resolution or certificate, trust indenture, or
15 trust agreement adopted, issued, or entered into by
16 the authority pursuant to this part may also contain
17 any provisions required for the qualification thereof
18 under the U.S. Trust Indenture Act of 1939. The
19 authority may pledge and assign to the trustee the
20 special facility lease and the rights of the authority
21 including the revenues thereunder;



1 (6) If the authority, with the approval of the director of
2 finance, shall have appointed or shall appoint a
3 trustee for the holders of the revenue bonds, then
4 notwithstanding the provisions of the second sentence
5 of section 39-68, the director of finance may elect
6 not to serve as fiscal agent for the payment of the
7 principal and interest, and for the purchase,
8 registration, transfer, exchange, and redemption, of
9 the revenue bonds, or may elect to limit the functions
10 the director of finance shall perform as the fiscal
11 agent. The authority, with the approval of the
12 director of finance, may appoint the trustee to serve
13 as the fiscal agent, and may authorize and empower the
14 trustee to perform the functions with respect to
15 payment, purchase, registration, transfer, exchange,
16 and redemption, that the authority may deem necessary,
17 advisable, or expedient, including, without
18 limitation, the holding of the revenue bonds and
19 coupons which have been paid and the supervision and
20 conduction of the destruction thereof in accordance
21 with sections 40-10 and 40-11. Nothing in this



1 paragraph shall be a limitation upon or construed as a
2 limitation upon the powers granted in the preceding
3 paragraph to the authority, with the approval of the
4 director of finance, to appoint the trustee, or
5 granted in sections 36-3 and 39-13 and the third
6 sentence of section 39-68 to the director of finance
7 to appoint the trustee or others, as fiscal agents,
8 paying agents, and registrars for the revenue bonds or
9 to authorize and empower the fiscal agents, paying
10 agents, and registrars to perform the functions
11 referred to in that paragraph and sections, it being
12 the intent of this paragraph to confirm that the
13 director of finance as aforesaid may elect not to
14 serve as fiscal agent for the revenue bonds or may
15 elect to limit the functions the director of finance
16 shall perform as the fiscal agent, that the director
17 of finance may deem necessary, advisable, or
18 expedient;

- 19 (7) The authority may sell the revenue bonds either at
20 public or private sale;



- 1 (8) If no trustee shall be appointed to collect, hold, and
2 administer the revenues derived from the special
3 facility for which the revenue bonds are issued, the
4 revenues shall be held in a separate account in the
5 treasury of the State, [~~separate and apart from the~~
6 ~~Hawaii community development revolving fund,~~] to be
7 applied solely to the carrying out of the resolution,
8 certificate, trust indenture, or trust agreement
9 authorizing or securing the revenue bonds;
- 10 (9) If the resolution, certificate, trust indenture, or
11 trust agreement shall provide that no revenue bonds
12 issued thereunder shall be valid or obligatory for any
13 purpose unless certified or authenticated by the
14 trustee for the holders of the revenue bonds,
15 signatures of the officers of the State upon the bonds
16 required by section 39-56 may be facsimiles of their
17 signatures;
- 18 (10) Proceeds of the revenue bonds may be used and applied
19 by the authority to reimburse the other person to the
20 special facility lease for all preliminary costs and
21 expenses, including architectural and legal costs; and



1 (11) If the special facility lease shall require the other
2 person to operate, maintain, and repair the special
3 facility which is the subject of the lease, at the
4 other person's expense, the requirement shall
5 constitute compliance by the authority with section
6 39-61(a)(2), and none of the revenues derived by the
7 authority from the special facility shall be required
8 to be applied to the purposes of section 39-62(2).
9 Sections 39-62(4), 39-62(5), and 39-62(6) shall not
10 apply to the revenues derived from a special facility
11 lease."

12 SECTION 9. Section 206E-186, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) Notwithstanding any other law to the contrary,
15 ~~[including particularly section 206E-16,]~~ all revenues, income,
16 and receipts derived from the special facility for which the
17 revenue bonds are issued shall be paid into the special facility
18 revenue bond fund established for that special facility and
19 applied as provided in the proceedings authorizing the issuance
20 of the revenue bonds."



1 SECTION 10. Section 206E-201, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§206E-201[+] Definitions. As used in this part:

4 "District" means the Heeia community development district.

5 [~~"Fund" means the Heeia community development revolving~~
6 ~~fund.~~]"

7 SECTION 11. Section 206M-8, Hawaii Revised Statutes, is
8 amended by amending subsection (j) to read as follows:

9 "(j) Moneys received by the development corporation
10 pursuant to subsection (a)(1)(D) shall not be, nor be deemed to
11 be, revenues or receipts derived under the project agreement
12 which may be pledged as security for special purpose revenue
13 bonds and shall be paid into the [~~high technology special~~
14 _____ fund.

15 A qualified person may comply with the unconditional
16 obligation to make payments required by subsection (a), if the
17 obligations are unconditionally guaranteed or insured by, or the
18 performance thereof assigned to, or guaranteed or insured by, a
19 person or persons other than the qualified person who is
20 satisfactory to the development corporation."



1 SECTION 12. Section 206M-17, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§206M-17 Revenue bond fund accounts. The development
4 corporation shall establish separate special funds in accordance
5 with section 39-62 for the deposit of the proceeds of special
6 purpose revenue bonds and special facility revenue bonds
7 authorized under this part and [+]part III[+] respectively. The
8 development corporation shall have the right to appropriate,
9 apply, or expend the revenues derived with respect to the
10 project agreement for a project for the following purposes:

- 11 (1) To pay when due all special purpose revenue bonds and
12 special facility revenue bonds, premiums, if any, and
13 interest thereon, for the payment of which the
14 revenues are or have been pledged, charged, or
15 otherwise encumbered, including reserves therefor; and
16 (2) To the extent not paid by the qualified person to
17 provide for all expenses of administration, operation,
18 and maintenance of the project, including reserves
19 therefor.

20 Unless and until adequate provision has been made for the
21 foregoing purposes, the development corporation shall not



1 transfer the revenues derived from the project agreement to the
2 [~~high technology special~~] _____ fund of the State."

3 SECTION 13. Section 206M-44, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) In addition to the conditions and terms set forth in
6 this part, any special facility lease entered into by the
7 development corporation shall at least contain provisions
8 obligating the other party to the special facility lease:

9 (1) To pay to the development corporation during the
10 initial term of the special facility lease, whether
11 the special facility is capable of being used or
12 occupied or is being used or occupied by the other
13 party, a rental or rentals at the time or times and in
14 the amount or amounts that will be sufficient to:

15 (A) Pay the principal and interest on all special
16 facility revenue bonds issued for the special
17 facility;

18 (B) Establish or maintain any reserves for these
19 payments; and

20 (C) Pay all fees and expenses of the trustees, paying
21 agents, transfer agents, and other fiscal agents



1 for the special facility revenue bonds issued for
2 the special facility;

3 (2) To pay to the development corporation:

4 (A) A ground rental, equal to the fair market rental
5 of the land, if the land on which the special
6 facility is located was not acquired from the
7 proceeds of the special facility revenue bonds;
8 or

9 (B) A properly allocable share of the administrative
10 costs of the development corporation in carrying
11 out the special facility lease and administering
12 the special facility revenue bonds issued for the
13 special facility if the land was acquired from
14 the proceeds of the special facility revenue
15 bonds;

16 (3) To either operate, maintain, and repair the special
17 facility and pay the costs thereof or to pay to the
18 development corporation all costs of operation,
19 maintenance, and repair of the special facility;

20 (4) To:



- 1 (A) Insure, or cause to be insured, the special
- 2 facility under builder's risk insurance (or
- 3 similar insurance) in the amount of the cost of
- 4 construction of the special facility to be
- 5 financed from the proceeds of the special
- 6 facility revenue bonds;
- 7 (B) Procure and maintain, or cause to be procured or
- 8 maintained, to the extent commercially available,
- 9 a comprehensive insurance policy providing
- 10 protection and insuring the development
- 11 corporation and its officers, agents, servants,
- 12 and employees (and so long as special facility
- 13 revenue bonds are outstanding, the trustee)
- 14 against all direct or contingent loss or
- 15 liability for damages for personal injury or
- 16 death or damage to property, including loss of
- 17 use thereof, occurring on or in any way related
- 18 to the special facility or occasioned by reason
- 19 of occupancy by and the operations of the other
- 20 person upon, in and around the special facility;



1 (C) Provide all risk casualty insurance, including
2 insurance against loss or damage by fire,
3 lightning, flood, earthquake, typhoon, or
4 hurricane, with standard extended coverage and
5 standard vandalism and other malicious mischief
6 endorsements; and

7 (D) Provide insurance for workers' compensation and
8 employers' liability for personal injury or death
9 or damage to property (the other party may self-
10 insure for workers' compensation if permitted by
11 law); provided that all policies with respect to
12 loss or damage of property including fire or
13 other casualty and extended coverage and
14 builder's risk shall provide for payments of the
15 losses to the development corporation, the other
16 party or the trustee for the special facility
17 revenue bonds as their respective interests may
18 appear; and provided further that the insurance
19 may be procured and maintained as part of or in
20 conjunction with other policies carried by the
21 other party; and provided further that the



1 insurance shall name the development corporation,
2 and so long as any special facility revenue bonds
3 are outstanding, the trustee, as additional
4 insured; and

5 (5) Indemnify, save, and hold the development corporation,
6 the trustee, and their respective agents, officers,
7 members, and employees harmless from and against all
8 claims and actions and all costs and expenses
9 incidental to the investigation and defense thereof,
10 by or on behalf of any person, firm, or corporation,
11 based upon or arising out of the special facility or
12 the other party's use and occupancy thereof,
13 including, without limitation, from and against all
14 claims and actions based upon and arising from any:

- 15 (A) Condition of the special facility;
- 16 (B) Breach or default on the part of the other party
17 in the performance of any of the party's
18 obligations under the special facility lease;
- 19 (C) Fault or act of negligence of the other party or
20 the party's agents, contractors, servants,
21 employees, or licensees; or



1 (D) Accident to or injury or death of any person or
 2 loss of or damage to any property occurring in or
 3 about the special facility, including any claims
 4 or actions based upon or arising by reason of the
 5 negligence or any act of the other party.

6 Any moneys received by the development corporation pursuant
 7 to paragraphs (2) and (3) shall be paid into the ~~high~~
 8 ~~technology special~~ _____ fund and shall not be nor be
 9 deemed to be revenues of the special facility."

10 SECTION 14. Section 206M-45, Hawaii Revised Statutes, is
 11 amended to read as follows:

12 "[+]§206M-45[+] **Special facility revenue bonds.** All
 13 special facility revenue bonds authorized to be issued under
 14 this part shall be issued pursuant to part III of chapter 39,
 15 except as follows:

16 (1) No revenue bonds shall be issued unless at the time of
 17 issuance, the development corporation has entered into
 18 a special facility lease with respect to the special
 19 facility for which the revenue bonds are to be issued;



- 1 (2) The revenue bonds shall be issued in the name of the
2 development corporation and not in the name of the
3 State;
- 4 (3) No further authorization of the legislature shall be
5 required for the issuance of the special facility
6 revenue bonds, but the approval of the governor shall
7 be required for the issuance;
- 8 (4) The revenue bonds shall be payable solely from and
9 secured solely by the revenues derived by the
10 development corporation from the special facility for
11 which they are issued;
- 12 (5) The final maturity date of the revenue bonds shall not
13 be later than either the estimated life of the special
14 facility for which the revenue bonds are issued or the
15 expiration of the initial term of the special facility
16 lease;
- 17 (6) If deemed necessary or advisable by the development
18 corporation, or to permit the obligations of the other
19 party to the special facility lease to be registered
20 under the U.S. Securities Act of 1933, the development
21 corporation, with the approval of the director of



1 finance, may appoint a national or state bank within
2 or without the State to serve as trustee for the
3 holders of the revenue bonds and may enter into a
4 trust indenture or trust agreement with the trustee.
5 The trustee may be authorized by the development
6 corporation to collect, hold, and administer the
7 revenues derived from the special facility for which
8 the revenue bonds are issued and to apply the revenues
9 to the payment of the principal and interest on the
10 revenue bonds. In the event that any trustee shall be
11 appointed, any trust indenture or trust agreement
12 entered into by the development corporation with the
13 trustee may contain the covenants and provisions
14 authorized by part III of chapter 39 to be inserted in
15 a resolution adopted or certificate issued, as though
16 the words "resolution" or "certificate" as used in
17 that part read "trust indenture or trust agreement".

18 The covenants and provisions shall not be
19 required to be included in the resolution or
20 certificate authorizing the issuance of the revenue
21 bonds if included in the trust indenture or trust



1 agreement. Any resolution or certificate, trust
2 indenture, or trust agreement adopted, issued, or
3 entered into by the development corporation pursuant
4 to this part may also contain any provisions required
5 for the qualification thereof under the U.S. Trust
6 Indenture Act of 1939. The development corporation may
7 pledge and assign to the trustee the special facility
8 lease and the rights of the development corporation
9 including the revenues thereunder;

10 (7) If the development corporation, with the approval of
11 the director of finance, shall have appointed or shall
12 appoint a trustee for the holders of the revenue
13 bonds, then notwithstanding the provisions of section
14 39-68, the director of finance may elect not to serve
15 as fiscal agent for the payment of the principal and
16 interest, and for the purchase, registration,
17 transfer, exchange, and redemption of the revenue
18 bonds, or may elect to limit the functions the
19 director of finance shall perform as the fiscal agent.
20 The development corporation, with the approval of the
21 director of finance, may appoint the trustee to serve



1 as the fiscal agent, and may authorize and empower the
2 trustee to perform the functions with respect to
3 payment, purchase, registration, transfer, exchange,
4 and redemption, that the development corporation may
5 deem necessary, advisable, or expedient, including,
6 without limitation, the holding of the revenue bonds
7 and coupons, if any, that have been paid and the
8 supervising and conducting of the destruction thereof
9 in accordance with sections 40-10 and 40-11. Nothing
10 in this paragraph shall be a limitation upon or
11 construed as a limitation upon the powers granted in
12 paragraph (6) to the development corporation with the
13 approval of the director of finance to appoint the
14 trustee, or granted in sections 36-3, 39-13, and 39-68
15 to the director of finance to appoint the trustee or
16 others, as fiscal agents, paying agents, and
17 registrars for the revenue bonds or to authorize and
18 empower the fiscal agents, paying agents, and
19 registrars to perform the functions referred to in
20 paragraph (6) and sections 36-3, 39-13, and 39-68, it
21 being the intent of this paragraph to confirm that the



1 director of finance may elect not to serve as fiscal
2 agent for the revenue bonds or may elect to limit the
3 functions the director of finance shall perform as the
4 fiscal agent, that the director of finance may deem
5 necessary, advisable, or expedient;

6 (8) The development corporation may sell the revenue bonds
7 either at public or private sale;

8 (9) If no trustee is appointed to collect, hold, and
9 administer the revenues derived from the special
10 facility for which the revenue bonds are issued, the
11 revenues shall be held in a separate account in the
12 treasury of the State, [~~separate and apart from the~~
13 ~~high technology special fund,~~] to be applied solely to
14 the carrying out of the resolution, certificate, trust
15 indenture, or trust agreement authorizing or securing
16 the revenue bonds;

17 (10) If the resolution, certificate, trust indenture, or
18 trust agreement provides that no revenue bonds issued
19 thereunder shall be valid or obligatory for any
20 purpose unless certified or authenticated by the
21 trustee for the holders of the revenue bonds, the



1 signatures of the officers of the State upon the bonds
2 required by section 39-56 may be facsimiles of their
3 signatures;

4 (11) Proceeds of the revenue bonds may be used and applied
5 by the development corporation to reimburse the other
6 party to the special facility lease for all
7 preliminary costs and expenses, including
8 architectural and legal costs; and

9 (12) If the special facility lease requires the other party
10 to operate, maintain, and repair the special facility
11 that is the subject of the lease, at the other party's
12 expense, the requirement shall constitute compliance
13 by the development corporation with section 39-
14 61(a)(2), and none of the revenues derived by the
15 development corporation from the special facility
16 shall be required to be applied to the purposes of
17 section 39-62(2). Sections 39-62(4), 39-62(5), and 39-
18 62(6) shall not apply to the revenues derived from a
19 special facility lease."

20 SECTION 15. Section 210D-8, Hawaii Revised Statutes, is
21 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 16. Section 227D-2, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) There is established the natural energy laboratory of
19 Hawaii authority, which shall be a body corporate and politic
20 and an instrumentality and agency of the State. The authority
21 shall be placed within the department of business, economic



1 development, and tourism for administrative purposes, pursuant
2 to section 26-35. The purpose of the natural energy laboratory
3 of Hawaii authority shall be to facilitate research,
4 development, and commercialization of natural energy resources
5 and ocean-related research, technology, and industry in Hawaii
6 and to engage in retail, commercial, or tourism activities that
7 will financially support that research, development, and
8 commercialization at a research and technology park in Hawaii.
9 Its duties shall include:

- 10 (1) Establishing, managing, and operating facilities that
11 provide sites for:
- 12 (A) Research and development;
 - 13 (B) Commercial projects and businesses utilizing
14 natural resources, such as ocean water or
15 geothermal energy;
 - 16 (C) Compatible businesses engaged in scientific and
17 technological investigations, or retail,
18 commercial, and tourism activities; and
 - 19 (D) Businesses or educational facilities that support
20 the primary projects and activities;



- 1 (2) Providing support, utilities, and other services to
- 2 facility tenants and government agencies;
- 3 (3) Maintaining the physical structure of the facilities;
- 4 (4) Promoting and marketing these facilities;
- 5 (5) Promoting and marketing the reasonable utilization of
- 6 available natural resources;
- 7 (6) Supporting ocean research and technology development
- 8 projects that support national and state interests,
- 9 use facilities and infrastructure in Hawaii, and
- 10 foster potential commercial development; and
- 11 (7) Engaging in retail, commercial, and tourism activities
- 12 that are not related to facilitating research,
- 13 development, and commercialization of natural energy
- 14 resources in Hawaii; provided that all income derived
- 15 from these activities shall be deposited in the
- 16 ~~[natural energy laboratory of Hawaii authority~~
- 17 ~~special]~~ _____ fund."

18 SECTION 17. Section 237D-6.5, Hawaii Revised Statutes, is
19 amended by amending subsection (b) to read as follows:



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

4 (1) \$26,500,000 shall be allocated to the convention
5 center enterprise special fund established under
6 section 201B-8;

7 (2) \$82,000,000 shall be allocated to the tourism special
8 fund established under section 201B-11; provided that:

9 (A) Beginning on July 1, 2012, and ending on June 30,
10 2015, \$2,000,000 shall be expended from the
11 tourism special fund for development and
12 implementation of initiatives to take advantage
13 of expanded visa programs and increased travel
14 opportunities for international visitors to
15 Hawaii; and

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

17 (i) \$1,000,000 shall be allocated for the
18 operation of a Hawaiian center and the
19 museum of Hawaiian music and dance at the
20 Hawaii convention center; and



1 (ii) 0.5 per cent of the \$82,000,000 shall be
2 transferred to a sub-account in the tourism
3 special fund to provide funding for a safety
4 and security budget, in accordance with the
5 Hawaii tourism strategic plan 2005-2015;
6 [and

7 ~~(C) Of the revenues remaining in the tourism special~~
8 ~~fund after revenues have been deposited as~~
9 ~~provided in this paragraph and except for any sum~~
10 ~~authorized by the legislature for expenditure~~
11 ~~from revenues subject to this paragraph,~~
12 ~~beginning July 1, 2007, funds shall be deposited~~
13 ~~into the tourism emergency trust fund,~~
14 ~~established in section 201B-10, in a manner~~
15 ~~sufficient to maintain a fund balance of~~
16 ~~\$5,000,000 in the tourism emergency trust fund,]~~

17 (3) \$103,000,000 for fiscal year 2014-2015, \$103,000,000
18 for fiscal year 2015-2016, and \$93,000,000 for each
19 fiscal year thereafter shall be allocated as follows:
20 Kauai county shall receive 14.5 per cent, Hawaii
21 county shall receive 18.6 per cent, city and county of



1 Honolulu shall receive 44.1 per cent, and Maui county
2 shall receive 22.8 per cent; provided that commencing
3 with fiscal year 2018-2019, a sum that represents the
4 difference between a county public employer's annual
5 required contribution for the separate trust fund
6 established under section 87A-42 and the amount of the
7 county public employer's contributions into that trust
8 fund shall be retained by the state director of
9 finance and deposited to the credit of the county
10 public employer's annual required contribution into
11 that trust fund in each fiscal year, as provided in
12 section 87A-42, if the respective county fails to
13 remit the total amount of the county's required annual
14 contributions, as required under section 87A-43;

15 (4) \$3,000,000 shall be allocated to the Turtle Bay
16 conservation easement special fund established under
17 section 201B-8.6 for the payment of debt service on
18 revenue bonds, the proceeds of which were used to
19 acquire the conservation easement in Turtle Bay, Oahu,
20 until the bonds are fully amortized; and



1 (5) Of the excess revenues deposited into the general fund
2 pursuant to this subsection, \$3,000,000 shall be
3 allocated subject to the mutual agreement of the board
4 of land and natural resources and the board of
5 directors of the Hawaii tourism authority in
6 accordance with the Hawaii tourism authority strategic
7 plan for:

8 (A) The protection, preservation, and enhancement of
9 natural resources important to the visitor
10 industry;

11 (B) Planning, construction, and repair of facilities;
12 and

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

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

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



1 SECTION 18. Section 516-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§516-5 Penalty. Any person who violates this chapter
4 shall be fined not more than \$5,000 nor less than \$1,000 or
5 imprisoned not more than one year, or both. All fines collected
6 shall be deposited in the [fee simple [residential] revolving]
7 _____ fund [created by this chapter]."

8 SECTION 19. Section 201-18, Hawaii Revised Statutes, is
9 repealed.

10 [~~"§201-18] Brownfields cleanup revolving loan fund. (a)~~

11 ~~There is established in the state treasury the brownfields
12 cleanup revolving loan fund, into which shall be deposited:~~

- 13 ~~(1) Funds from federal or private funding sources;~~
14 ~~(2) Moneys received as repayment of loans and interest
15 payments; and~~
16 ~~(3) Any fees collected by the department under this
17 section.~~

18 ~~(b) Moneys in the brownfields cleanup revolving loan fund
19 shall be used to provide low interest loans or other authorized
20 financial assistance to eligible public, private, and nonprofit
21 borrowers for cleanup activities of contaminated sites, and site~~



1 ~~monitoring activities necessary to determine the effectiveness~~
2 ~~of a cleanup. All environmental response activities receiving~~
3 ~~funding shall be in accordance with the Comprehensive~~
4 ~~Environmental Response, Compensation, and Liability Act of 1980,~~
5 ~~P.L. 96 510 (42 U.S.C. §§9601-9675), as amended, and shall be~~
6 ~~consistent with the National Oil and Hazardous Substances~~
7 ~~Pollution Contingency Plan at 40 Code of Federal Regulations~~
8 ~~part 300. Moneys from the fund may be used to cover~~
9 ~~administrative and legal costs of fund management and site~~
10 ~~management associated with individual loans, to include~~
11 ~~personnel, services, materials, equipment, and travel for the~~
12 ~~purposes of this section; provided that the moneys used for~~
13 ~~these purposes shall not exceed the amounts allowed by the~~
14 ~~United States Environmental Protection Agency's Brownfields~~
15 ~~Cleanup Revolving Loan Fund Pilot Program.~~

16 ~~(c) The fund shall be administered by the department of~~
17 ~~business, economic development, and tourism. Appropriations or~~
18 ~~authorizations from the fund shall be expended by the~~
19 ~~department. The department may contract with other public or~~
20 ~~private entities for the provision of all or a portion of the~~
21 ~~services necessary for the administration and implementation of~~



1 ~~the loan fund program. The department may set fees or charges~~
2 ~~for fund management and technical site assistance provided under~~
3 ~~this section. The department may adopt rules pursuant to~~
4 ~~chapter 91 to carry out the purposes of this section.~~

5 ~~(d) All interest earned on the deposit or investment of~~
6 ~~the moneys in the fund shall become a part of the fund.~~

7 ~~(e) The department shall provide an annual report to the~~
8 ~~governor and the legislature describing all transactions and~~
9 ~~activities involved in the administration of the brownfields~~
10 ~~cleanup revolving loan fund."]~~

11 SECTION 20. Section 201B-10, Hawaii Revised Statutes, is
12 repealed.

13 [~~§201B-10~~] ~~Tourism emergency trust fund.~~ (a) ~~There is~~
14 ~~established outside the state treasury a tourism emergency trust~~
15 ~~fund to be administered by the board as trustee, into which~~
16 ~~shall be deposited the revenues prescribed by section~~
17 ~~237D-6.5(b). All investment earnings from moneys in the trust~~
18 ~~fund shall be credited to the tourism special fund.~~

19 (b) ~~Moneys in the trust fund shall be used exclusively to~~
20 ~~provide for the development and implementation of emergency~~
21 ~~measures to respond to any tourism emergency pursuant to section~~



1 ~~201B-9, including providing emergency assistance to tourists~~
2 ~~during the tourism emergency.~~

3 ~~(c) Use of the trust fund, consistent with subsection (b),~~
4 ~~shall be provided for in articles, bylaws, resolutions, or other~~
5 ~~instruments executed by the board as trustee for the trust~~
6 ~~fund."}]~~

7 SECTION 21. Section 206E-16, Hawaii Revised Statutes, is
8 repealed.

9 ~~["~~§206E-16~~ Hawaii community development revolving fund.~~

10 ~~There is created the Hawaii community development revolving fund~~
11 ~~into which all receipts and revenues of the authority shall be~~
12 ~~deposited. Proceeds from the fund shall be used for the~~
13 ~~purposes of this chapter."}]~~

14 SECTION 22. Section 206E-195, Hawaii Revised Statutes, is
15 repealed.

16 ~~["~~§206E-195~~ Kalaeloa community development revolving~~

17 ~~fund. (a) There is established in the state treasury the~~
18 ~~Kalaeloa community development revolving fund, into which shall~~
19 ~~be deposited.~~

20 ~~(1) All revenues, income, and receipts of the authority~~
21 ~~for the Kalaeloa community development district,~~



1 ~~notwithstanding any other law to the contrary,~~
2 ~~including section 206E-16,~~
3 ~~(2) Moneys directed, allocated, or disbursed to the~~
4 ~~Kalaeloa community development district from~~
5 ~~government agencies or private individuals or~~
6 ~~organizations, including grants, gifts, awards,~~
7 ~~donations, and assessments of landowners for costs to~~
8 ~~administer and operate the Kalaeloa community~~
9 ~~development district; and~~

10 ~~(3) Moneys appropriated to the fund by the legislature.~~

11 ~~(b) Moneys in the Kalaeloa community development revolving~~
12 ~~fund shall be used for the purposes of this part.~~

13 ~~(c) Investment earnings credited to the assets of the fund~~
14 ~~shall become part of the assets of the fund."]~~

15 SECTION 23. Section 206E-204, Hawaii Revised Statutes, is
16 repealed.

17 ~~[" [§206E-204] Heeia community development revolving fund.~~

18 ~~(a) There is established in the state treasury the Heeia~~
19 ~~community development revolving fund, into which shall be~~
20 ~~deposited.~~



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1 ~~(1) All revenues, income, and receipts of the authority~~
2 ~~for the district, notwithstanding any other law to the~~
3 ~~contrary, including section 206E-16;~~

4 ~~(2) Moneys directed, allocated, or disbursed to the~~
5 ~~district from government agencies or private~~
6 ~~individuals or organizations, including grants, gifts,~~
7 ~~awards, donations, and assessments of landowners for~~
8 ~~costs to administer and operate the district; and~~

9 ~~(3) Moneys appropriated to the fund by the legislature.~~

10 ~~(b) Moneys in the fund shall be used only for the purposes~~
11 ~~of this part.~~

12 ~~(c) Investment earnings credited to the assets of the fund~~
13 ~~shall become part of the fund."]~~

14 SECTION 24. Section 206M-15.5, Hawaii Revised Statutes, is
15 repealed.

16 ~~["§206M-15.5 High technology special fund. There is~~
17 ~~established in the state treasury a fund to be known as the high~~
18 ~~technology special fund, into which shall be deposited, except~~
19 ~~as otherwise provided by section 206M-17, all moneys, fees, and~~
20 ~~equity from tenants, qualified persons, or other users of the~~
21 ~~development corporation's industrial parks, projects, other~~



1 ~~leased facilities, and other services and publications, provided~~
2 ~~that the total amount of moneys in the fund shall not exceed~~
3 ~~\$3,000,000 at the end of any fiscal year. All moneys in the~~
4 ~~fund are appropriated for the purposes of and shall be expended~~
5 ~~by the development corporation for the operation, maintenance,~~
6 ~~and management of its industrial parks, projects, facilities,~~
7 ~~services, and publications, and to pay the expenses in~~
8 ~~administering the special purpose revenue bonds of the~~
9 ~~development corporation or in carrying out its project~~
10 ~~agreements."]~~

11 SECTION 25. Section 209-34, Hawaii Revised Statutes, is
12 repealed.

13 [~~"§209-34 State disaster revolving loan fund. (a) There~~
14 ~~is established the state disaster revolving loan fund into which~~
15 ~~shall be deposited all moneys appropriated by the legislature to~~
16 ~~the fund, contributed or transferred to the fund, and received~~
17 ~~as repayment of loans and interest payments as provided in this~~
18 ~~part, and from which the director of business, economic~~
19 ~~development, and tourism may make loans in accordance with this~~
20 ~~part.~~



1 ~~(b) The director may transfer moneys from the state~~
2 ~~disaster revolving loan fund established by this section to~~
3 ~~either the Hawaii capital loan revolving fund established by~~
4 ~~section 210-3 or the Hawaii innovation development fund~~
5 ~~established by section 211E-2. Moneys from the Hawaii capital~~
6 ~~loan revolving fund established by section 210-3, the Hawaii~~
7 ~~innovation development loan revolving fund established by~~
8 ~~section 211E-2, and the state disaster revolving loan fund shall~~
9 ~~be disbursed by the department or the director pursuant to~~
10 ~~chapters 209, 210, and 211E, respectively. The department or~~
11 ~~the director may transfer moneys from the Hawaii capital loan~~
12 ~~revolving fund and the Hawaii innovation development fund to the~~
13 ~~state disaster revolving loan fund for disbursement pursuant to~~
14 ~~this chapter.~~

15 ~~(c) The total amount of moneys transferred to the state~~
16 ~~disaster revolving loan fund, the Hawaii capital loan revolving~~
17 ~~fund, or the Hawaii innovation development fund shall not exceed~~
18 ~~\$1,000,000 for each respective fund within the calendar year.~~

19 ~~(d) Notwithstanding subsection (c) to the contrary, the~~
20 ~~total amount of moneys transferred between the state disaster~~
21 ~~revolving loan fund and the Hawaii capital loan revolving fund~~



1 ~~of the Hawaii innovation development fund shall not exceed~~
2 ~~\$1,000,000 within the calendar year if the governor proclaims a~~
3 ~~state disaster pursuant to section 209-2.~~

4 ~~(e) The director shall report any transfer of funds made~~
5 ~~under this section to the legislature within ten days of the~~
6 ~~transfer.~~

7 ~~(f) All unexpended and unencumbered moneys remaining in~~
8 ~~the state disaster revolving loan fund at the close of each~~
9 ~~fiscal year, which are deemed by the director of finance to be~~
10 ~~in excess of the moneys necessary to carry out the purposes of~~
11 ~~this section over the next following fiscal year, shall lapse to~~
12 ~~the credit of the general fund."]~~

13 SECTION 26. Section 210D-4, Hawaii Revised Statutes, is
14 repealed.

15 [~~§210D-4 Hawaii community based economic development~~
16 ~~revolving fund; established. There is established a revolving~~
17 ~~fund to be known as the Hawaii community based economic~~
18 ~~development revolving fund from which moneys shall be loaned or~~
19 ~~granted by the department under this chapter. All moneys~~
20 ~~appropriated to the fund by the legislature, received as~~
21 ~~repayments of loans, payments of interest or fees, and all other~~



1 ~~moneys received by the fund from any other source shall be~~
2 ~~deposited into the revolving fund and used for the purposes of~~
3 ~~this chapter. The department may use all appropriations and~~
4 ~~other moneys in the revolving fund not appropriated for a~~
5 ~~designated purpose to make grants or loans."]~~

6 SECTION 27. Section 212-9, Hawaii Revised Statutes, is
7 repealed.

8 [~~§212-9 Special fund. There is established in the state~~
9 ~~treasury a fund to be known as the foreign trade zones special~~
10 ~~fund. All fees or other moneys collected under this chapter~~
11 ~~shall be deposited in this fund. All moneys in the fund are~~
12 ~~hereby appropriated for the purposes of and shall be expended by~~
13 ~~the public corporation for the operation, capital improvement,~~
14 ~~and maintenance of the zone."]~~

15 SECTION 28. Section 211F-5.7, Hawaii Revised Statutes, is
16 repealed.

17 [~~§211F-5.7 Hydrogen investment capital special fund. (a)~~
18 ~~There shall be established the hydrogen investment capital~~
19 ~~special fund, into which shall be deposited:~~

20 (1) ~~Appropriations made by the legislature to the fund;~~

21 (2) ~~All contributions from public or private partners;~~



1 ~~(3) All interest earned on or acerued to moneys deposited~~
2 ~~in the special fund; and~~

3 ~~(4) Any other moneys made available to the special fund~~
4 ~~from other sources.~~

5 ~~(b) Moneys in the fund shall be expended by the~~
6 ~~corporation to:~~

7 ~~(1) Provide seed capital for and venture capital~~
8 ~~investments in private sector and federal projects for~~
9 ~~research, development, testing, and implementation of~~
10 ~~the Hawaii renewable hydrogen program, as set forth in~~
11 ~~section 196-10; and~~

12 ~~(2) For any other purpose deemed necessary to carry out~~
13 ~~the purposes of section 196-10."]~~

14 SECTION 29. Section 227D-5, Hawaii Revised Statutes, is
15 repealed.

16 ~~["§227D-5 Special fund. There is established in the state~~
17 ~~treasury a fund to be known as the natural energy laboratory of~~
18 ~~Hawaii authority special fund, into which shall be deposited all~~
19 ~~moneys and fees from tenants or other users of the authority's~~
20 ~~parks, projects, other leased facilities, and other services and~~
21 ~~publications as well as any grants or gifts received by the~~



1 ~~authority. All moneys in the fund are appropriated for the~~
2 ~~purposes of and shall be expended by the authority for the~~
3 ~~operation, maintenance, and management of its parks, projects,~~
4 ~~facilities, services, and publications, and for the design and~~
5 ~~construction of new facilities and the renovation of or addition~~
6 ~~to existing facilities."]~~

7 SECTION 30. Section 516-44, Hawaii Revised Statutes, is
8 repealed.

9 [~~§516-44 Fee simple residential revolving fund. A fee~~
10 ~~simple residential revolving fund is created. The funds~~
11 ~~appropriated for the purposes of this chapter and chapter 519~~
12 ~~and all moneys received or collected by the Hawaii housing~~
13 ~~finance and development corporation under this chapter and~~
14 ~~chapter 519 shall be deposited in the revolving fund. Moneys~~
15 ~~collected to reimburse the corporation from the lessees for~~
16 ~~their pro rata share of the direct costs incurred by the~~
17 ~~corporation under this chapter shall be deposited into the~~
18 ~~revolving fund. The proceeds in the funds shall first be used~~
19 ~~to pay the principal and interest on bonds or other indebtedness~~
20 ~~issued by the corporation, or by the State, and then for~~



1 ~~necessary expenses, including indirect costs of the corporation~~
2 ~~in administering chapters 516 and 519.~~

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


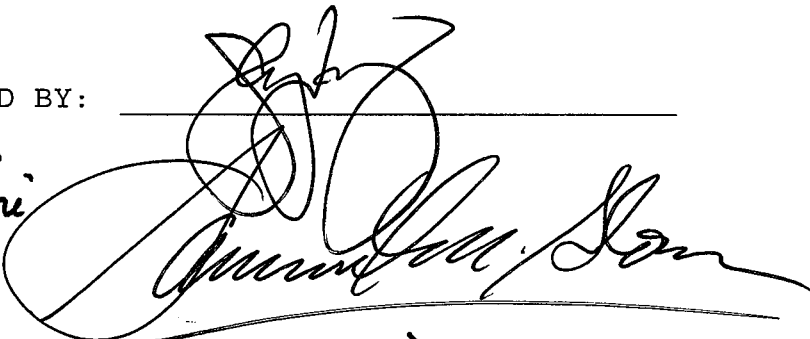
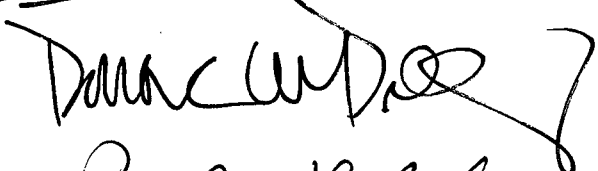
5 SECTION 31. On June 30, 2015, all unencumbered balances
6 remaining in the funds repealed by this Act shall be transferred
7 by the director of finance into the high technology loan
8 revolving fund.

9 SECTION 32. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 33. This Act shall take effect on July 1, 2015.

12

INTRODUCED BY: _____

Michelle Indri



Randy H. Bob
Breem



S.B. NO. 1189

Report Title:

Special Funds; Revolving Funds; Department of Business, Economic Development, and Tourism; High Technology Loan Revolving Fund

Description:

Repeals particular special and revolving funds that have become dormant or unnecessary and transfers the unencumbered balances in those funds into the high technology loan revolving fund.

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

