



March 10, 2023

**VIA EMAIL** (senkouchi@capitol.hawaii.gov) **VIA EMAIL** (repsaiki@capitol.hawaii.gov)

The Honorable Ronald D. Kouchi  
Senate President  
415 South Beretania Street  
Hawai'i State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki  
Speaker, House of Representatives  
415 South Beretania Street  
Hawai'i State Capitol, Room 431  
Honolulu, Hawai'i 96813

Re: Analyses of Proposed Special and Revolving Funds 2023, Report No. 23-05

Dear President Kouchi and Speaker Saiki:

Pursuant to Section 23-11, Hawai'i Revised Statutes, the Office of the Auditor reviewed 96 Senate and House bills from the 2023 legislative session proposing 84 new special and revolving funds. We are attaching a copy of the report compiling our analyses of new special and revolving funds proposed by 2023 legislative bills. The report and summary have also been uploaded to the Legislature's web-based application.

The report is accessible through the Office of the Auditor's website at:  
<https://files.hawaii.gov/auditor/Reports/2023/23-05.pdf>.

The summary is also accessible through the Office of the Auditor's website at:  
<https://files.hawaii.gov/auditor/Overviews/2023/23-05AuditorSummary.pdf>.

If you have any questions about the report, please contact me.

Very truly yours,

Leslie H. Kondo  
State Auditor

LHK:SCW:emo  
Attachments  
ec/attach:

Members of the Senate  
Members of the House of Representatives  
Carol Taniguchi, Senate Chief Clerk  
Brian Takeshita, House Chief Clerk

# Auditor's Summary

## Analyses of Proposed Special and Revolving Funds 2023

Report No. 23-05

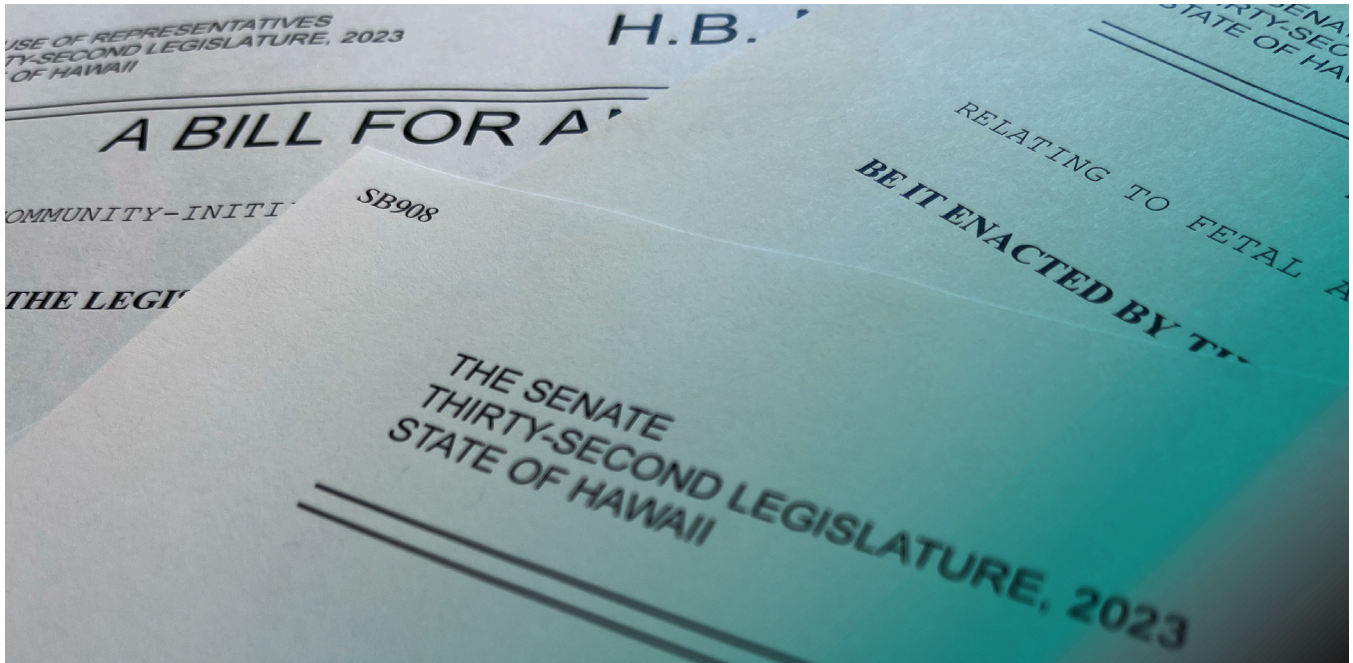


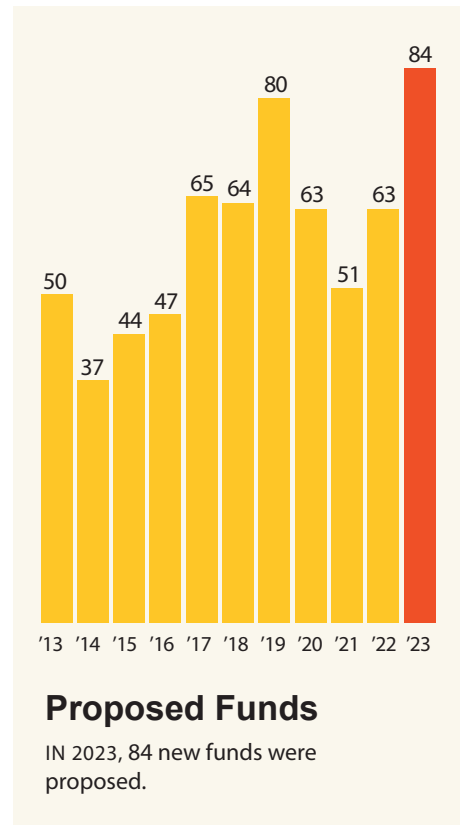
PHOTO: OFFICE OF THE AUDITOR

### Eighty-four funds proposed in 2023 did not meet criteria.

We reviewed 96 Senate and House bills introduced during the 2023 legislative session proposing 84 special and revolving funds of which none met criteria.

**ONLY ABOUT HALF OF THE MONEY** the State spends each year comes from its main financial account, the general fund. The other half of expenditures are financed by special, revolving, federal, and trust funds. Between 2008 and 2012, the number of these non-general funds and the amount of money contained in them substantially increased. Much of that upward trend had been caused by an increase in special funds, which are funds set aside by law for a specified object or purpose.

In 2013, the Legislature amended Section 23-11, Hawai'i Revised Statutes (HRS), after the Auditor recommended changes to stem a trend in the proliferation of special and revolving funds over the past 30 years. Such funds erode the Legislature's ability to control the State budget through the general fund appropriation process. General funds, which made up about two-thirds of State operating budget outlays in the late 1980s, had dwindled to about half of outlays.



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By 2011, special funds amounted to \$2.48 billion, or 24.3 percent, of the State’s \$10.2 billion operating budget. Also ballooning were revolving funds, which are used to pay for goods and services and are replenished through charges to users of the goods and services or transfers from other accounts or funds. By 2011, revolving funds made up \$384.2 million, or 3.8 percent, of the State’s operating budget. Further hampering the Legislature’s control over the budget process was a 2008 court case. In *Hawai‘i Insurers Council v. Linda Lingle, Governor of the State of Hawai‘i*, the Hawai‘i Supreme Court determined that under only certain conditions could the Legislature “raid” special funds to balance the State budget. In 2013, in order to gain more control over the budget process, the Legislature built new safeguards into the criteria for establishing special funds.

This year, applying the criteria required by Section 23-11, HRS, we reviewed 96 Senate and House bills introduced during the 2023 legislative session that propose 84 new special and revolving funds. We determined that none of the proposed special and revolving funds satisfied the criteria established by the Legislature.

## The Criteria

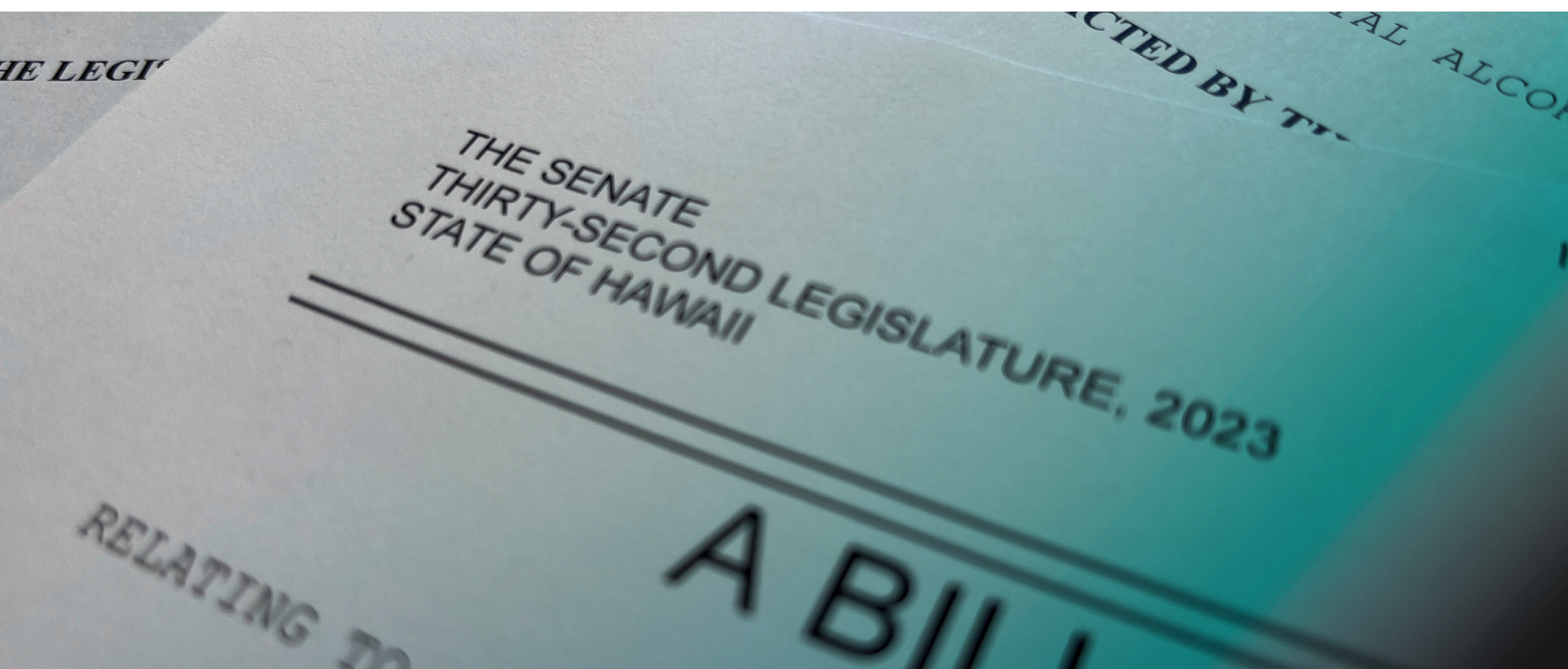
**SECTION 23-11, HRS,** requires the Auditor to analyze all bills proposing to establish new special or revolving funds according to the following criteria:

1. The need for the fund, as demonstrated by:
  - The purpose of the program to be supported by the fund;
  - The scope of the program, including financial information on fees to be charged, sources of projected revenue, and costs; and
  - An explanation of why the program cannot be implemented successfully under the general fund appropriation process; and
2. Whether there is a clear nexus between the benefits sought and charges made upon the program users or beneficiaries or a clear link between the program and the sources of revenue, as opposed to serving primarily as a means to provide the program or users with an automatic means of support that is removed from the normal budget and appropriation process.

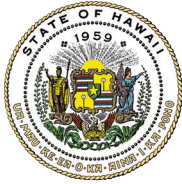
# Analyses of Proposed Special and Revolving Funds 2023

Section 23-11, Hawai'i Revised Statutes, requires the Auditor to submit no later than 30 days prior to the end of the legislative session an analysis of each new special or revolving fund proposed by legislative bills.

**Report No. 23-05**  
March 2023



OFFICE OF THE AUDITOR  
STATE OF HAWAII



## OFFICE OF THE AUDITOR STATE OF HAWAII

### Constitutional Mandate

Pursuant to Article VII, Section 10 of the Hawai'i State Constitution, the Office of the Auditor shall conduct post-audits of the transactions, accounts, programs and performance of all departments, offices and agencies of the State and its political subdivisions.

The Auditor's position was established to help eliminate waste and inefficiency in government, provide the Legislature with a check against the powers of the executive branch, and ensure that public funds are expended according to legislative intent.

Hawai'i Revised Statutes, Chapter 23, gives the Auditor broad powers to examine all books, records, files, papers and documents, and financial affairs of every agency. The Auditor also has the authority to summon people to produce records and answer questions under oath.

### Our Mission

*To improve government through independent and objective analyses.*

We provide independent, objective, and meaningful answers to questions about government performance. Our aim is to hold agencies accountable for their policy implementation, program management and expenditure of public funds.

### Our Work

We conduct performance audits (also called management or operations audits), which examine the efficiency and effectiveness of government programs or agencies, as well as financial audits, which attest to the fairness of financial statements of the State and its agencies.

Additionally, we perform procurement audits, sunrise analyses and sunset evaluations of proposed regulatory programs, analyses of proposals to mandate health insurance benefits, analyses of proposed special and revolving funds, analyses of existing special, revolving and trust funds, and special studies requested by the Legislature.

We report our findings and make recommendations to the Governor and the Legislature to help them make informed decisions.

*For more information on the Office of the Auditor, visit our website:*  
<https://auditor.hawaii.gov>

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## Foreword

This report compiles our analyses of new special and revolving funds proposed by 2023 legislative bills. The analyses were prepared in accordance with Section 23-11, Hawai‘i Revised Statutes, which requires the Auditor to analyze all legislative bills introduced each session that propose to establish new special or revolving funds.

Our work was performed from January to March 2023.

Leslie H. Kondo  
State Auditor

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PHOTO: OFFICE OF THE AUDITOR

## Analyses of Proposed Special and Revolving Funds 2023

**SECTION 23-11, HAWAII REVISIED STATUTES (HRS)**, requires the Auditor to analyze all legislative bills introduced each session that propose to establish new special or revolving funds. Specifically, the Auditor's analysis of each bill must be based on the following criteria:

1. The need for the fund, as demonstrated by:
  - a. The purpose of the program to be supported by the fund;
  - b. The scope of the program, including financial information on fees to be charged, sources of projected revenue, and costs; and
  - c. An explanation of why the program cannot be implemented successfully under the general fund appropriation process; and
2. Whether there is a clear nexus between the benefits sought and charges made upon the program users or beneficiaries or a clear link between the program and the sources of revenue, as opposed to serving primarily as a means to provide the program or users with an automatic means of support that is removed from the normal budget and appropriation process.

**We reviewed  
96 Senate and  
House bills  
proposing  
84 special and  
revolving funds  
during the 2023  
legislative session.**

We sent surveys to bill introducers requesting information about the proposed funds, including the need for the fund as set forth in Section 23-11(b)(1), HRS, and nexus as required by Section 23-11(b)(2), HRS.

Our review included survey responses and statutory criteria; we include with each analysis an assessment of alternative forms of funding and, where we are able, the probable effects of the proposed fund.

We reviewed 96 Senate and House bills introduced during the 2023 legislative session proposing 84 special and revolving funds. None satisfied the criteria set forth in Section 23-11, HRS, for proposed special and revolving funds. References to Senate Draft and House Draft versions reflect bill status at the time of our review.

For any new fund proposed, additional administrative costs associated with the fund may be incurred by central services agencies of state government. Undetermined amounts of revenue will be deposited into the fund and will not be subject to normal lapsing requirements. From a legislative perspective, special and revolving funds are less desirable because the funding stream is not fully controlled by the appropriation process. Legislative control is reduced because special and revolving funds divert moneys from the general fund and distort the State's financial picture by making revenues and expenditures appear to be less than they are.

Exhibit 1 summarizes the results of our analyses.

**Exhibit 1**  
**Analyses of Proposed Special and Revolving Funds 2023**

First Bill	Fund Name	Only Funding Source	Nexus	Meets Criteria
		HRS § 23-11(b)(1)	HRS § 23-11(b)(2)	
HB1170	Accessory Dwelling Unit Housing Development Program Special Fund	N	P	N
SB1269 and HB971	Agricultural Emergency Loan Revolving Fund	N	P	N
SB865	ALOHA Homes Revolving Fund	N	P	N
SB819 and HB566	Alternative Energy Research and Development Revolving Fund	N	N	N
SB828 and HB964	Apostilles and Certifications Special Fund	N	N	N
SB818	Aquaculture Development Special Fund	N	P	N
SB852	Automated Speed Enforcement Systems Program Special Fund	N	P	N
HB1171	Blue Lives Matter Special Fund	N	U	N
HB1305	Building Materials Revolving Fund	N	N	N
SB1350 and HB1052	Climate Impact Special Fund	N	P	N
HB1305	Community Organization-Owned Housing Revolving Fund	N	N	N
HB1305	Construction Revolving Fund	N	N	N
SB974	Consumer Privacy Special Fund	N	P	N
SB1522, HB1376, and HB1375	Convention Center Enterprise Special Fund	N	P	N
HB1375	County Assistance Special Fund	N	P	N
SB256	Current and Returning Resident Down Payment Special Fund	N	P	N
SB1064 and HB750	Dam and Appurtenance Improvement Revolving Fund	N	N	N
HB1229	Death Care Industry Board Special Fund	N	P	N
HB1223	Department of Education Teacher Loan Program Revolving Fund and Public Charter School Teacher Loan Program Revolving Fund	N	P	N
HB1385	Designated Redevelopment Revolving Funds	N	P	N

Y = Yes   N = No   P = Partial   U = Unclear

Bill	Fund Name	Only Funding Source	Nexus	Meets Criteria
		HRS § 23-11(b)(1)	HRS § 23-11(b)(2)	
HB1305	Development Revolving Fund	N	N	N
HB1243	East Hawai'i Community Development Revolving Fund	N	P	N
SB1401 and HB1103	Electric Bicycle and Electric Moped Special Fund	N	P	N
HB1415	Electric Vehicle Charging System Loan Revolving Fund	N	P	N
SB1458	Extended Producer Responsibility Special Fund	N	P	N
SB714 and HB900	Fetal Alcohol Spectrum Disorders Special Fund	N	Y	N
SB708	Fireworks Possession Special Fund	N	P	N
HB1313	Ha'ikū Valley Cultural Preserve Special Fund	N	P	N
SB375 and HB237	Hawai'i Cannabis Authority Special Fund	N	P	N
SB636	Hawai'i Environmental Legacy Special Fund	N	P	N
SB430	Hawai'i Food Assistance Program Special Fund	N	P	N
SB623	Hawai'i Low-Income Home Energy Assistance Program Special Fund	N	P	N
SB62	Hawai'i Medical Education Special Fund	N	P	N
HB553	Hawai'i Reproductive Care Workforce Special Fund	N	P	N
SB863	Hawai'i Residential Developers Loan Special Fund	N	P	N
HB469	Hawai'i State Dividend Special Fund	N	U	N
HB875	Hawai'i Teacher Apprenticeship Program Special Fund	N	P	N
SB908	Healthy 'Ohana Special Fund	N	P	N
HB1209	Homeless Case Management Special Fund	N	P	N
SB1153 and HB1253	Honolua Bay Special Fund	N	P	N
HB1305	Land Acquisition Revolving Fund	N	N	N
SB1107	Lottery and Gaming Special Fund	N	U	N
SB1504	Modern Hawai'i History Special Fund	N	P	N
HB1305	Modernization Revolving Fund	N	N	N

Y = Yes   N = No   P = Partial   U = Unclear

Bill	Fund Name	Only Funding Source	Nexus	Meets Criteria
		HRS § 23-11(b)(1)	HRS § 23-11(b)(2)	
SB364, HB956, and HB1388	Natural Resource Management Special Fund	N	P	N
SB1359 and HB1061	Office of Youth Services Revolving Fund	N	P	N
HB1501	Ombudsman's Office Special Fund	N	U	N
HB178	Ombudsman's Office Special Fund	N	P	N
SB1146	Online Fantasy Sports Contests Special Fund	N	P	N
HB1326	Packaging Waste Special Fund	N	P	N
SB649	Packaging Waste Special Fund	N	P	N
SB128	Photo Noise Violation Monitoring System Program Special Fund	N	P	N
HB1305	Pre-Development Revolving Fund	N	N	N
SB1591	Public Places Special Fund	N	U	N
HB613	Real Property Tax Exemption Special Fund	N	U	N
SB1463 and HB1338	Rent Stabilization Special Fund	N	Y	N
HB1305	Repair and Maintenance Revolving Fund	N	N	N
SB275	Rounding Up for Teachers' Salaries Special Fund	N	P	N
SB1506 and HB1418	Safe Routes for People Special Fund	N	P	N
SB1032 and HB756	Sea Level Rise Relocation Special Fund	N	P	N
SB1390 and HB1092	Sea Level Rise Voluntary Relocation Fund	N	P	N
SB498 and HB216	Shipping Container Inspection Program Special Fund	N	P	N
HB686	Shipping Container Inspection Program Special Fund	N	P	N
HB949	Solar Energy System Revolving Loan Fund	N	P	N

Y = Yes   N = No   P = Partial   U = Unclear

Bill	Fund Name	Only Funding Source	Nexus	Meets Criteria
		HRS § 23-11(b)(1)	HRS § 23-11(b)(2)	
HB1230	Space Corporation Special Fund	N	P	N
SB998 and HB220	Spay and Neuter Special Fund	N	P	N
HB1414	Special Needs Recreational Playground Equipment Special Fund	N	N	N
SB825	Startup Agriculture Businesses and Farms Special Fund and Value Added Startups Special Fund	N	P	N
SB706	Start-Up Business Loan Program Special Fund	N	N	N
HB565	State Self-Insurance Against Property and Casualty Risks Special Fund	N	P	N
SB1137	Teacher Loan Program Revolving Fund	N	P	N
SB995	Teacher Salary Special Fund	N	P	N
SB1522, HB1376, and HB1375	Tourism Emergency Special Fund	N	Y	N
HB1375	Tourism Special Fund	N	P	N
SB1383 and HB1085	Unemployment Insurance Technology Special Fund	N	Y	N
SB658 and HB442	Visitor Green Fee Special Fund	N	P	N
SB1349 and HB1051	Visitor Green Fee Special Fund	N	P	N
SB304 and HB1162	Visitor Impact Fee Special Fund	N	P	N
HB1385	Waiākea Peninsula Redevelopment District Revolving Fund	N	P	N
HB909	Water Neutrality Turf Replacement Special Fund	N	P	N
SB1376 and HB1078	Water Pollution Control Special Fund	N	P	N
SB722	Workforce Safety and Health Special Fund	N	P	N

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# Accessory Dwelling Unit Housing Development Program Special Fund H.B. No. 1170\* Does Not Meet Criteria

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<b>Department/agency</b>	Hawai'i Community Development Authority
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Accessory Dwelling Unit Housing Development Program and the Accessory Dwelling Unit Housing Development Program Special Fund. The purpose of the program is to provide matching funds for homeowners who construct or contract to construct accessory dwelling units. The purpose of the fund is to hold moneys for the program. Moneys in the fund will be used to award matching funds.
<b>Revenue</b>	Revenues are from legislative appropriations, contributions from public or private partners, interest, and moneys from other sources. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and interest earned. Nexus or linkage does not exist between the program and continued support from legislative appropriations. It is unclear whether nexus or linkage exists between the program and contributions from public or private partners and moneys from other sources. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining
<b>Additional Information</b>	*H.B. No. 1170 did not meet the first lateral deadline.

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# Agricultural Emergency Loan Revolving Fund S.B. No. 1269\* and H.B. No. 971, H.D. 2 Does Not Meet Criteria

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<b>Department/agency</b>	Department of Agriculture
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bills establish the Agricultural Emergency Loan Revolving Fund to be administered by the Department of Agriculture. The purpose of the fund is to fund Class D emergency agricultural loans. Moneys in the fund will be used to fund Class D emergency loans made pursuant to Section 155-9(e), HRS (Agriculture and Water Infrastructure Loans).
<b>Revenue</b>	Revenues are from loan repayments and legislative appropriations. The bills also appropriate an unspecified amount of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the distributed emergency loans and payments on loans made by the fund. However, nexus or linkage does not exist between distributed emergency loans and continued support from legislative appropriations.
<b>Additional Information</b>	*S.B. No. 1269 did not meet the first lateral deadline.

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# ALOHA Homes Revolving Fund

## S.B. No. 865, S.D. 2

### Does Not Meet Criteria

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<b>Department/agency</b>	Hawai‘i Public Housing Authority
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill establishes the ALOHA Homes Program and the ALOHA Homes Revolving Fund within Chapter 365D, HRS (Hawai‘i Public Housing Authority). The purpose of the fund is to hold moneys deposited from receipts and revenues from the program. The program specifically seeks to promote owner-occupancy residences for local buyers.
<b>Revenue</b>	Revenues are from receipts and revenues from the program, including the sale of ALOHA Homes Program properties to eligible buyers. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and moneys from the sale of ALOHA Homes Program properties to eligible buyers. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.

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# Alternative Energy Research and Development Revolving Fund

## S.B. No. 819\* and H.B. No. 566\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bills temporarily re-establish the Hawai‘i Office of Naval Research Grant Program and establish the Alternative Energy Research and Development Revolving Fund. The purpose of the program is to provide matching grants to qualified Hawai‘i businesses that have been awarded energy research grants related to alternative energy and energy efficiency technologies by the Department of Defense Office of Naval Research. Moneys in the fund will be used to support the Hawai‘i Office of Naval Research Grant Program.
<b>Revenue</b>	Revenues are from the general fund. The bills appropriate an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*S.B. No. 819 and H.B. No. 566 did not meet the first lateral deadline.

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# Apostilles and Certifications Special Fund

## S.B. No. 828, S.D. 2 and H.B. No. 964, H.D. 1\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Office of the Lieutenant Governor
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Apostilles and Certifications Special Fund and authorize the Office of the Lieutenant Governor to expend moneys from the fund for operational purposes. The purpose of the fund is to hold fees of \$10 collected for each apostille or non-apostille certification issued. Moneys in the fund will be used for operational expenses of the Office of Lieutenant Governor, including postage and supplies.
<b>Revenue</b>	Revenues are from fees collected for each apostille or non-apostille certification. S.B. No. 828, S.D. 2 appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and fees collected on each certification. Nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*H.B. No. 964, H.D. 1, did not meet the first crossover deadline.

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# Aquaculture Development Special Fund

## S.B. No. 818, S.D. 1

### Does Not Meet Criteria

<b>Department/agency</b>	Agribusiness Development Corporation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	<p>The bill establishes the Aquaculture Program within the Agribusiness Development Corporation and eliminates the Aquaculture Program under the Department of Agriculture. The bill also establishes the Aquaculture Development Special Fund and eliminates an existing Aquaculture Development Special Fund maintained by the Department of Agriculture. Moneys in the fund will be used to:</p> <ol style="list-style-type: none"> <li>(1) Implement the aquatic disease management programs and activities of the corporation, including the provision of state funds to match federal grants; and</li> <li>(2) Support research and development programs and activities relating to the expansion of the state aquaculture industry.</li> </ol>
<b>Revenue</b>	<p>Revenues are from:</p> <ol style="list-style-type: none"> <li>(1) Appropriations from the Legislature;</li> <li>(2) Moneys collected as fees for special microbiological and histological procedures and expert aquaculture-related services;</li> <li>(3) Moneys collected from the sale of any item related to aquaculture development that is purchased from the corporation;</li> <li>(4) Moneys directed to the Aquaculture Program from any other sources, including but not limited to grants, gifts, and awards; and</li> <li>(5) Moneys derived from interest, dividend, or other income from the above sources.</li> </ol> <p>The bill appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025 for the establishment of the Wilikina Hatchery and Education Center and an unspecified amount of general funds to the fund for fiscal years 2024 and 2025 for the establishment of the Mokuleia Aquaculture Innovation Center.</p>
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>

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**Demonstrated Need  
For the Fund**

Although the bill replaces an existing special fund, the criteria for demonstrating the need for a new special fund have not been met because an explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.

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**Nexus or Linkage**

Nexus or linkage exists between the program and moneys collected as fees and for services, moneys collected from certain purchases, grants, gifts, and awards directed to the Aquaculture Program, and moneys derived from interest, dividends, and other income. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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# Automated Speed Enforcement Systems Program Special Fund S.B. No. 852\* Does Not Meet Criteria

<b>Department/agency</b>	Department of Transportation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill requires the State to establish the Automated Speed Enforcement Systems Program to improve enforcement of speeding laws. The bill additionally establishes the Automated Speed Enforcement Systems Program Special Fund to be administered by the Department of Transportation. Moneys in the fund will be used in the county in which the fine was imposed for the establishment, implementation, operation, oversight, repair, and maintenance of an Automated Speed Enforcement System. Fines will additionally be used to expand the program and to fund positions. Fines can also be used to create speed education materials.
<b>Revenue</b>	Revenues are from fines and penalties collected pursuant to Section 291C-102, HRS (Noncompliance with speed limit prohibited). The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and fines and penalties collected pursuant to Section 291C-102, HRS (Noncompliance with speed limit prohibited). However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*S.B. No. 852 did not meet the first lateral deadline.

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# Blue Lives Matter Special Fund

## H.B. No. 1171\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Taxation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Blue Lives Matter Special Fund to be administered by the Police Commission. The purpose of the proposed fund is to hold moneys collected by the Department of Taxation as Visitor Security Surcharges imposed on passenger tickets for all overseas arrivals and departures, excluding interisland travel and Hawai'i residents. Moneys in the fund will be used for recruiting and retaining police officers.
<b>Revenue</b>	Revenues are from proceeds from the Visitor Security Surcharge and funds received by the Department of Taxation and made legally available for the purposes of the Blue Lives Matter Special Fund.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	It is unclear whether nexus or linkage exists between the activities described and proceeds from the Visitor Security Surcharge and funds received by the Department of Taxation. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*H.B. No. 1171 did not meet the first lateral deadline.

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# Building Materials Revolving Fund

## H.B. No. 1305\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The purpose of the bill is to authorize and appropriate moneys for any county with a population of 500,000 or more to form partnerships with certain qualifying nonprofit corporations to execute community-initiated development projects. The bill establishes the Building Materials Revolving Fund, and seven other revolving funds, to support community-initiated development projects. Projects may be funded by moneys from the funds subject to requirements to be established by the Department of Business, Economic Development and Tourism and the county. Moneys in the fund will be used to buy materials to execute community-initiated development projects.
<b>Revenue</b>	Revenues are from moneys received from any lawful sources and an unspecified amount of general funds to be appropriated equally into the funds for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Without additional information, it is unclear whether nexus or linkage exists between the activities and unspecified sources. Nexus or linkage does not exist between the activities described and appropriations from the general fund. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*H.B. No. 1305 did not meet the first lateral deadline.

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# Climate Impact Special Fund

## S.B. No. 1350, S.D. 1\* \*\* and H.B. No. 1052, H.D. 1\*\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Climate Impact Special Fund to be administered by the Hawai'i Climate Change Mitigation and Adaptation Commission within the Department of Land and Natural Resources. The purpose of the fund is to appropriate funds to address the impacts of climate change and mitigate further impacts on the State through education, carbon sequestration, resiliency planning, and implementation. Moneys in the fund will be used for operations of the Hawai'i Climate Change Mitigation and Adaptation Commission and activities carried out by the State to address the impact, mitigation, and adaptation of climate change.
<b>Revenue</b>	Revenues are from legislative appropriations, fees, grants provided by governmental agencies, donations made by private individuals, earnings on moneys in the fund, and a portion of the barrel tax established under Section 243-3.5, HRS (Environmental response, energy, and food security tax; uses). The bills also appropriate \$100,000,000 of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and fees collected, grants provided by governmental agencies, donations made by private individuals, earnings on moneys in the fund, and the barrel tax established under Section 243-3.5, HRS. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*The Climate Impact Special Fund was eliminated in the S.D. 1 version of the bill, and the funding source changed to general funds. **S.B. No. 1350, S.D. 1, and H.B. No. 1052, H.D. 1, did not meet the first lateral deadline.

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# Community Organization-Owned Housing Revolving Fund H.B. No. 1305\* Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The purpose of the bill is to authorize and appropriate moneys for any county with a population of 500,000 or more to form partnerships with certain qualifying nonprofit corporations to execute community-initiated development projects. The bill establishes the Community Organization-Owned Housing Revolving Fund, and seven other revolving funds, to support community-initiated development projects. Projects may be funded by moneys from the funds subject to requirements to be established by the Department of Business, Economic Development and Tourism and the county. Moneys in the fund will be used to support a program that will provide housing to employees.
<b>Revenue</b>	Revenues are from moneys received from any lawful sources and an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Without additional information, it is unclear whether nexus or linkage exists between the activities and unspecified sources. Nexus or linkage does not exist between the program and appropriations from the general fund. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*H.B. No. 1305 did not meet the first lateral deadline.

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# Construction Revolving Fund

## H.B. No. 1305\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The purpose of the bill is to authorize and appropriate moneys for any county with a population of 500,000 or more to form partnerships with certain qualifying nonprofit corporations to execute community-initiated development projects. The bill establishes the Construction Revolving Fund, and seven other revolving funds, to support community-initiated development projects. Projects may be funded by moneys from the funds subject to requirements to be established by the Department of Business, Economic Development and Tourism and the county. Moneys in the fund will be used for execution of construction-related expenses.
<b>Revenue</b>	Revenues are from moneys received from any lawful sources and an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Without additional information, it is unclear whether nexus or linkage exists between the activities and unspecified sources. Nexus or linkage does not exist between the activities described and appropriations from the general fund. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*H.B. No. 1305 did not meet first the lateral deadline.

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# Consumer Privacy Special Fund

## S.B. No. 974, S.D. 2

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of the Attorney General
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Consumer Data Protection Act and the Consumer Privacy Special Fund to be administered by the Department of the Attorney General. The purpose of the fund is to hold moneys for the protection of consumer property and personal data as described in the chapter established by this measure.
<b>Revenue</b>	Revenues are from civil penalties, expenses, and attorney’s fees collected for data privacy violations, interest, and legislative appropriations. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities and civil penalties, expenses, and attorney fees collected pursuant to the proposed chapter and interest earned on moneys in the fund. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. Pursuant to Section 37- 52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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# Convention Center Enterprise Special Fund

## S.B. No. 1522, S.D. 2, H.B. No. 1376\*, and H.B. No. 1375, H.D. 3

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	S.B. No. 1522, S.D. 2 and H.B. No. 1376 establish the Office of Tourism and Destination Management and the Convention Center Enterprise Special Fund within the Department of Business, Economic Development and Tourism (DBEDT). H.B. No. 1375, H.D. 3 establishes the Destination Management Agency and the Convention Center Enterprise Special Fund within DBEDT. The purpose of the fund is to support the Hawai‘i Convention Center. The fund would replace the existing Convention Center Enterprise Special Fund, which the bill repeals along with the Hawai‘i Tourism Authority. Moneys in the fund will be used for payment of expenses arising from any and all use, operation, maintenance, alteration, improvement, or any unforeseen or unplanned repairs of the convention center; sale of souvenirs, logo items, or other items; future major repair, maintenance, and improvement of the convention center facility; and marketing the facility pursuant to Section 201-C(c)(7), HRS, which is part of the new chapter created by this measure.
<b>Revenue</b>	Revenues are from a portion of the revenues from the transient accommodations tax, as provided by Section 237D-6.5, HRS; all revenues or moneys derived from the operations of the convention center; private contributions, interest, compensation, gross or net revenues, proceeds, or other moneys derived from any source or for any purpose arising from the convention center facility; and appropriations by the legislature for marketing the facility pursuant to Section 201-C(c)(7), HRS. S.B. No. 1522, S.D. 2 and H.B. No. 1376 also appropriate \$28,500,000 of general funds to the fund for fiscal year 2024 and \$28,500,000 of general funds to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>

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**Demonstrated Need For the Fund**

There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.

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**Nexus or Linkage**

Nexus or linkage exists between the activities described in the bill and the transient accommodations tax, as provided by Section 237D-6.5, HRS; revenues or moneys derived from the operations of the convention center; private contributions, interest, compensation, gross or net revenues, proceeds, or for any purpose arising from the convention center facility; and appropriations by the Legislature for marketing the facility pursuant to Section 201-C(c)(7), HRS. Without additional information, it is unclear whether nexus or linkage exists between the activities and “any other moneys made available to the fund.” Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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**Additional information**

\*H.B. No. 1376 did not meet the first lateral deadline.

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# County Assistance Special Fund

## H.B. No. 1375, H.D. 3

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Destination Management Agency and the County Assistance Special Fund. The Destination Management Agency would replace the Hawai'i Tourism Authority. One of the responsibilities of the new state agency is to aid county agencies. The purpose of the fund is to provide matching funds to counties for projects in their destination management action plans
<b>Revenue</b>	Revenues are from a portion of revenues from any transient accommodations tax, as provided by Section 237D-6.5, HRS, and appropriations by the Legislature.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the agency established by this measure. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the agency and its activities and revenues from any transient accommodations tax, as provided by Section 237D-6.5, HRS. However, nexus or linkage does not exist between the agency and its activities and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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# Current and Returning Resident Down Payment Special Fund S.B. No. 256\* Does Not Meet Criteria

<b>Department/agency</b>	Hawai‘i Housing Finance and Development Corporation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	This bill establishes the Current and Returning Resident Down Payment Program and the Current and Returning Resident Down Payment Special Fund. The purpose of the fund is to hold moneys for matching grants for down payments on houses for eligible current and returning residents. Moneys in the fund will be used for program purposes.
<b>Revenue</b>	Revenues are from legislative appropriations and repayments to the fund. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and repayments by applicants who fail to satisfy program requirements. Nexus or linkage does not exist between the program and appropriations made by the Legislature to the fund. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*S.B. No. 256 did not meet the first lateral deadline.

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# Dam and Appurtenance Improvement Revolving Fund

## S.B. No. 1064, S.D. 2 and H.B. No. 750\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bills establish the Dam and Appurtenance Improvement Loan Program, the Dam and Appurtenance Improvement Revolving Fund, the Dam and Appurtenance Improvement Grant Program, and a dam and appurtenance improvement tax credit. The purpose of the fund is to support and encourage improvement of dams and their appurtenances located on private lands that pose significant potential hazards to nearby communities, as determined by the Department of Land and Natural Resources. Moneys in the fund will be used to support the loans or grants awarded under the Dam and Appurtenance Improvement Loan Program and the Dam and Appurtenance Improvement Grant Program for eligible private dam and appurtenance owners.
<b>Revenue</b>	Revenues are from legislative appropriations. <sup>1</sup> The bills also appropriate an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage does not exist between the programs and continued support from legislative appropriations. Without additional information, it is unclear whether nexus or linkage exists between the program and unspecified moneys collected by the loan programs established in the bill. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*H.B. No. 750 did not meet the first lateral deadline.

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<sup>1</sup> Because the only revenue is legislative appropriations from the general fund, this fund does not meet the definition of a revolving fund. Pursuant to Section 37-62, HRS, a revolving fund is a fund from which is paid the cost of goods and services rendered or furnished to or by a state agency and which is replenished through charges made for goods and services or through transfers from other accounts or funds.

# Death Care Industry Board Special Fund

## H.B. No. 1229\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Commerce and Consumer Affairs
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Death Care Industry Board and the Death Care Industry Board Special Fund. The purpose of the fund is to hold moneys for the Death Care Industry Board, a licensing board. Moneys in the fund will be used to administer and enforce the proposed regulation of the death care industry.
<b>Revenue</b>	Revenues are from legislative appropriations, fees, grants, gifts, and other moneys, as well as interest on moneys deposited into the fund.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and fees charged by the board, grants, gifts, and interest on moneys deposited into the special fund. Without additional information, it is unclear whether nexus or linkage exists between the program and “any other moneys deposited into the special fund.” However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*H.B. No. 1229 did not meet the first lateral deadline.

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# Department of Education Teacher Loan Program Revolving Fund and Public Charter School Teacher Loan Program Revolving Fund H.B. No. 1223, H.D. 1 Do Not Meet Criteria

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<b>Department/agency</b>	Department of Education
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	<p>The bill establishes the Department of Education Teacher Loan Program, the Department of Education Teacher Loan Program Revolving Fund, the Public Charter School Teacher Loan Program, and the Public Charter School Teacher Loan Program Revolving Fund. The purpose of the Department of Education Teacher Loan Program is to provide financial support to full-time teachers who remain in a teaching position for five years at a Hawai‘i public school in a hard-to-fill position or at a department school located in a rural area in the state. The purpose of the Public Charter School Teacher Loan Program is to provide financial support to full-time public charter school teachers who remain in teaching positions for five years at a public charter school in a hard-to-fill position or at a school located in a rural area in the State. The purpose of the Department of Education Teacher Loan Program Revolving Fund is to fund loans made under the Department of Education Teacher Loan Program, and the purpose of the Public Charter School Teacher Loan Program Revolving Fund is to fund loans made under the Public Charter School Teacher Loan Program. An amount not exceeding 5 percent of the total amount of outstanding loans may be used by the department for administrative expenses incurred in administering the revolving funds.</p>
<b>Revenue</b>	<p>Revenues are from appropriations made by the Legislature, private contributions, repayment of loans including interest and principal, and other sources. The bill also appropriates an unspecified amount of general funds to the funds for fiscal years 2024 and 2025.</p>
<b>Analysis</b>	<p><b>The bill does not satisfy criteria for establishing revolving funds.</b></p>

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**Demonstrated Need  
For the Fund**

There is insufficient information to demonstrate revolving funds are needed to support the programs. An explanation of why the programs cannot be successfully implemented through the general fund appropriation process was not provided.

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**Nexus or Linkage**

Nexus or linkage exists between the programs and moneys received as loan repayments from teachers. Nexus or linkage also exists between the programs and private contributions to the funds. However, nexus or linkage does not exist between the programs and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.

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# Designated Redevelopment Revolving Funds

## H.B. No. 1385, H.D. 2

### Do Not Meet Criteria

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<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill establishes a Planning Committee within the Department of Land and Natural Resources for a redevelopment district that will be responsible for facilitating the revitalization of public lands classified as commercial and industrial use, hotel, apartment, and motel use, or resort use that have fallen into disrepair or obsolescence. The bill also establishes Designated Redevelopment District Revolving Funds and notes a separate revolving fund shall be established for each redevelopment district designated pursuant to Section 171-C, HRS, bearing the name used by the Legislature in designating the redevelopment district. The purpose of the Designated Redevelopment District Revolving Funds is to support the activities of the Planning Committee.
<b>Revenue</b>	Revenues are from 50 percent of revenues, income, and receipts from public lands in the designated district, moneys appropriated by the Legislature, and any gifts, grants and other funds accepted by the committee.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing revolving funds.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate the revolving funds are needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the Planning Committee's activities and projects in designated districts and 50 percent of revenues, income, and receipts from public lands in the designated district. Nexus or linkage also exists between the Planning Committee's activities and any gifts or grants the Planning Committee accepts. However, nexus or linkage does not exist between the Planning Committee's activities and projects in designated districts and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.

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# Development Revolving Fund

## H.B. No. 1305\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill authorizes and appropriates moneys for any county with a population of 500,000 or more to form partnerships with certain qualifying nonprofit corporations to execute community-initiated development projects. The bill establishes the Development Revolving Fund, and seven other revolving funds, to support community-initiated development projects. Projects may be funded by moneys from the fund subject to requirements to be established by the Department of Business, Economic Development and Tourism and the county. Moneys in the fund will be used for infrastructure drawings, building drawings, construction cost estimates, and all other reports and studies needed for government approvals.
<b>Revenue</b>	Revenues are from moneys received from any lawful sources and an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Without additional information, it is unclear whether nexus or linkage exists between the activities and unspecified sources. Nexus or linkage does not exist between the activities described and appropriations from the general fund. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*H.B. No. 1305 did not meet the first lateral deadline.

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# East Hawai‘i Community Development Revolving Fund

## H.B. No. 1243, H.D. 1\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Hawai‘i Community Development Authority
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill establishes the East Hawai‘i Community Development District Board and the East Hawai‘i Community Development Revolving Fund in Chapter 206E, HRS (Hawai‘i Community Development Authority). The purpose of the fund is to hold moneys for the board to ensure that the area in East Hawai‘i receives necessary funds to renew, renovate, and improve the district and to enhance the economic and social value of the area to the State.
<b>Revenue</b>	<p>Revenues are from:</p> <ul style="list-style-type: none"><li>(1) Revenues, income, and receipts for the East Hawai‘i Community Development District;</li><li>(2) Moneys directed, allocated, or disbursed from government agencies or private individuals or organizations, including grants, gifts, awards, donations, and assessments of landowners for costs to administer and operate the district;</li><li>(3) Moneys appropriated from the Legislature; and</li><li>(4) Interest.</li></ul> <p>The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.</p>
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities of the board. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.

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## **Nexus or Linkage**

Nexus or linkage exists between the activities of the board and revenues, income, and receipts for the East Hawai‘i Community Development District; moneys directed, allocated, or disbursed to the East Hawai‘i Community Development District from government agencies or private individuals or organizations, including grants, gifts, awards, donations, and assessments; and interest accruing from the investment of moneys in the fund. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.

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## **Additional information**

\*H.B. No. 1243, H.D. 1, did not meet the first lateral deadline.

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# Electric Bicycle and Electric Moped Special Fund

## S.B. No. 1401\* and H.B. No. 1103\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Transportation, Highways Division
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	<p>The bills establish the Electric Bicycle and Electric Moped Special Fund to be administered by the Department of Transportation. The purpose of the fund is to allow the department to authorize funds to fulfill the legislative intent of Act 306, Session Laws of Hawai‘i (SLH) 2022, which established the electric bicycle and electric moped rebate program and authorizes a third-party administrator to expend funds. Act 306, SLH 2022 established an electric bicycle and electric moped subaccount within the Highway Development Special Fund. However, it did not provide budget authority to expend funds from the established special fund subaccount. Thus, in fiscal year 2023, rebates paid to eligible applicants and funding for third-party administrators cannot be funded with the established subaccount. The fund will fund the rebate program established by Act 306, SLH 2022, through a fund separate from the Highway Development Special Fund, and would include expenditure authority of already appropriated general funds. Moneys in the fund will be used to fund the operating expenses of the electric bicycle and electric moped rebate program, rebates for the program, and costs of a third-party administrator for the operation of the program.</p>
<b>Revenue</b>	Revenues are from appropriations made by the Legislature, gifts, grants, and donations.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	The criteria for demonstrating the need for this special fund have not been met because an explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and gifts, grants, and donations to the fund. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*S.B. No. 1401 and H.B. No. 1103 did not meet the first lateral deadline.

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# Electric Vehicle Charging System Loan Revolving Fund H.B. No. 1415, H.D. 1 Does Not Meet Criteria

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<b>Department/agency</b>	Public Utilities Commission
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Electrical Charging System Loan Program, which incentivizes the installation of eligible electric vehicle charging systems. The bill also establishes the Electric Vehicle Charging System Loan Revolving Fund to be administered by the Public Utilities Commission. The purpose of the fund is to provide loans to eligible applicants, as established in this new section.
<b>Revenue</b>	Revenues are from federal funds, moneys appropriated by the Legislature, private contributions, repayment of loans, and income and interest earned or accrued. The bill also appropriates an unspecified amount of general funds to the fund for fiscal year 2024. Moneys in the fund will be used to provide loans to eligible applicants.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and federal funds, private contributions, repayment of loans, and income and interest earned or accrued. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.

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# Extended Producer Responsibility Special Fund

## S.B. No. 1458, S.D. 1\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Health
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill requires the Department of Health to establish an Extended Producer Responsibility Program that requires certain producers of fast-moving consumer goods to register with the department and pay an annual fee based on the amount of packaging volume the covered producer places on the market each calendar year. The bill also establishes the Extended Producer Responsibility Special Fund. The purpose of the fund is to hold moneys to regulate producers of fast-moving consumer goods. Moneys in the fund will be allocated to each county for the costs of creating the county-wide needs assessment required by the bill. Additional funds will be awarded to qualified applicants for projects and programs that eliminate packaging waste through the development of reuse and refill systems within the State.
<b>Revenue</b>	Revenues are from fees, payments, penalties, legislative appropriations, grants, donations, and interest earned. The bill also appropriates an unspecified amount of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and fees, payments, penalties collected, grants, donations, and interest earned. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional information</b>	*S.B. No. 1458, S.D. 1, did not meet the first crossover deadline.

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# Fetal Alcohol Spectrum Disorders Special Fund S.B. No. 714\* and H.B. No. 900\* Does Not Meet Criteria

<b>Department/agency</b>	Department of Human Services
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Fetal Alcohol Spectrum Disorders Task Force, to be placed in the Department of Health for administrative purposes, and the Fetal Alcohol Spectrum Disorders Special Fund, to be administered by the Department of Human Services. The purpose of the fund is to provide assistance to individuals who have fetal alcohol spectrum disorders, in a manner that complies with federal law or presidential executive orders. Moneys in the fund will be used by the department to assist individuals who have fetal alcohol spectrum disorders.
<b>Revenue</b>	Revenues are from federal funds granted by Congress or presidential executive order for the purpose of assisting individuals who have fetal alcohol spectrum disorder and any interest accrued by the fund.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and potential federal moneys received for assisting individuals who have fetal alcohol spectrum disorder and interest accrued by the account. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 714 and H.B. No. 900 did not meet the first lateral deadline.

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# Fireworks Possession Special Fund

## S.B. No. 708, S.D. 1\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Public Safety
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Fireworks Possession Special Fund to be administered by the Department of Public Safety. The purpose of the fund is to hold moneys collected by individuals who improperly possess, set off, ignite, or discharge fireworks or knowingly allow someone else to do so on their property. Eighty percent of moneys in the fund shall be directed to the county police departments and 20 percent deposited into the Energy Security Special Fund established pursuant to Section 201-12.8, HRS, and directed towards climate change mitigation.
<b>Revenue</b>	Revenues are from fines collected pursuant to Section 132D-A, HRS.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and revenues from fines collected. However, it is unclear whether nexus exists between the Fireworks Possession Special Fund and the Energy Security Special Fund. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 708, S.D. 1, did not meet the first lateral deadline.

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# Ha'ikū Valley Cultural Preserve Special Fund

## H.B. No. 1313, H.D. 1\*

### Does Not Meet Criteria

<b>Department/agency</b>	Office of Hawaiian Affairs
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Ha'ikū Valley Cultural Preserve Commission and the Ha'ikū Valley Cultural Preserve Special Fund within the Office of Hawaiian Affairs for administrative purposes. The purpose of the program is to establish the Ha'ikū Valley Cultural Preserve Commission which would have policy and management oversight over the Ha'ikū Valley Cultural Preserve. The purpose of the fund is to provide moneys for the operation of the commission and fulfilment of the new chapter related to the Ha'ikū Valley Cultural Preserve.
<b>Revenue</b>	Revenues are from any moneys received from the federal government, moneys appropriated by the Legislature, moneys received from grants, donations and proceeds from contributions, and interest and returns on investments. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and moneys received from the federal government, grants, donations and proceeds from contributions, interest, and returns on investments. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1313, H.D. 1, did not meet the first lateral deadline.

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# Hawai'i Cannabis Authority Special Fund

## S.B. No. 375, S.D. 1\*, and H.B. No. 237\*\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Health
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Hawai'i Cannabis Authority within the Department of Health for administrative purposes, and the Hawai'i Cannabis Authority Special Fund. The purpose of the fund is to support the Hawai'i Cannabis Authority. Moneys in the fund are to be expended for the purposes of the chapter and includes the licensure of businesses involved in the cultivation, distribution, manufacturing, and selling of cannabis products.
<b>Revenue</b>	Revenues are from unspecified fees and fines to be established by the Hawai'i Cannabis Authority. The bills also appropriate an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program and activities. An explanation of why the program and activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and unspecified fees and unspecified fines that will be established by the Hawai'i Cannabis Authority. Nexus or linkage does not exist between the activities described in the bill and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. 375, S.D. 1, did not meet the first crossover deadline. **H.B. No. 237 did not meet the first lateral deadline.

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# Hawai‘i Environmental Legacy Special Fund

## S.B. No. 636, S.D. 1\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill requires the Department of Land and Natural Resources to establish the Visitor Green Fee Program and establishes the Hawai‘i Environmental Legacy Commission and the Hawai‘i Environmental Legacy Special Fund within the Department of Land and Natural Resources. The purpose of the fund is to hold moneys collected through the Visitor Green Fee Program. Moneys will be allocated to state agencies and for grants.
<b>Revenue</b>	Revenues are from green fees to be paid by nonresidents to obtain a license to use Hawai‘i’s public beaches, parks, trails, coastlines, and environment, legislative appropriations, grants, and gifts.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and proceeds from visitor green fees, licenses, grants, and gifts made to the special fund. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 636, S.D. 1, did not meet the first crossover deadline.

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# Hawai'i Food Assistance Program Special Fund

## S.B. No. 430, S.D. 2

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Labor and Industrial Relations
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai'i Farm to Food Bank Program and the Hawai'i Food Assistance Program Special Fund within the Department of Labor and Industrial Relations. The purpose of the program is to make moneys available to food banks located in the State. Moneys in the fund will be used to purchase, store, and transport food grown or produced in Hawai'i to local communities for distribution through the Hawai'i Farm to Food Bank Program, especially to low-income residents.
<b>Revenue</b>	Revenues are from legislative appropriations, gifts, donations, and grants from public agencies and private persons, and interest accrued from moneys in the special fund. The bill also appropriates an unspecified amount of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and interest accrued from moneys in the special fund, gifts, donations, and grants from public agencies or private persons. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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# Hawai‘i Low-Income Home Energy Assistance Program Special Fund

## S.B. No. 623\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Human Services
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai‘i Low-Income Home Energy Assistance Program and the Hawai‘i Low-Income Home Energy Assistance Program Special Fund within the Department of Human Services. The purpose of the program is to assist eligible low-income households with their energy costs, bill payment assistance, energy crisis assistance, weatherization, and energy-related home repairs. Moneys in the fund will be used for the Hawai‘i Low-Income Energy Assistance Program.
<b>Revenue</b>	Revenues are from legislative appropriations, moneys assessed and collected by utilities from ratepayers through a demand-side management surcharge, contributions from public or private partners, interest, and moneys from other sources. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and moneys assessed and collected by utilities from ratepayers, interest earned, and contributions from public or private partners. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Without additional information, it is unclear whether nexus or linkage exists between the program and “any other moneys made available to the special fund.” Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 623 did not meet the first lateral deadline.

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# Hawai'i Medical Education Special Fund

## S.B. No. 62, S.D. 2

### Does Not Meet Criteria

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<b>Department/agency</b>	John A. Burns School of Medicine, University of Hawai'i System
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The purpose of the fund is to hold moneys to be expended by the John A. Burns School of Medicine to establish graduate medical education and training programs. The bill states that expanding medical education training, especially on neighbor islands and in medically underserved communities, will encourage new physicians to establish practices in Hawai'i. Moneys from the general fund will be used to expand medical residency and training opportunities in partnership with the United States Department of Veteran Affairs and to expand medical residency and training opportunities for medical students in counties with populations of 500,000 or less.
<b>Revenue</b>	<p>Revenues are from:</p> <ol style="list-style-type: none"> <li>1) Moneys from the federal Centers for Medicaid and Medicare Services and other federal agencies;</li> <li>2) Appropriations made by the Legislature; and</li> <li>3) Grants, contracts, donations, and private contributions.</li> </ol> <p>The bill also appropriates an unspecified amount of funds from the Hawaii Medical Educational Special Fund to the fund for fiscal years 2024 and 2025. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.</p>
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and moneys from the centers for Medicare and Medicaid Services and other federal agencies described in the bill, grants, contracts, donations, and private contributions. However, nexus or linkage does not exist between the programs and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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# Hawai'i Reproductive Care Workforce Special Fund

## H.B. No. 553\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Health
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai'i Reproductive Care Workforce Special Fund to be administered by the Department of Health. Moneys from the fund will be used for programs related to (1) training health care professionals to increase the State's capacity to provide reproductive care services, (2) increasing access in rural and remote areas, (3) providing financial assistance to certain students at the University of Hawai'i, and (4) projecting future reproductive care workforce needs.
<b>Revenue</b>	Revenues are from legislative appropriations, grants, contracts, donations and contributions from private individuals or organizations, interest, and moneys from other sources. The bill also appropriates \$500,000 of general funds to thea fund for fiscal year 2024 and \$500,000 of general funds to the fund for fiscal year 2025 to carry out the purposes of the special fund.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and interest accrued on all amounts in the special fund, moneys directed to the special fund from contracts, grants provided by governmental agencies, and donations and contributions made by private individuals or organizations. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. It is unclear whether nexus or linkage exists between "any other moneys made available to the special fund and other sources." Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 553 did not meet the first the lateral deadline.

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# Hawai'i Residential Developers Loan Special Fund

## S.B No. 863, S.D. 1\* \*\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai'i Residential Developers Loan Corporation and the Hawai'i Residential Developers Loan Corporation Special Fund to be placed within the Department of Business, Economic Development and Tourism. The purpose of the fund is to hold moneys to be administered by the Hawai'i Residential Developers Loan Corporation. Moneys in the fund will be used to guarantee and insure loans that private financial institutions make to developers of residential housing for Hawai'i residents who will be owner-occupants and who own no other real property.
<b>Revenue</b>	Revenues are from legislative appropriations; funds from the Rental Housing Revolving Fund; private contributions; repayment of loans, interest, and other returns; and moneys from other sources. The bill also appropriates \$200,000,000 of general funds to the fund for fiscal year 2024 and \$200,000,000 of general funds to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and private contributions, repayment of loans, interest, and other returns. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Without additional information, it is unclear whether nexus or linkage exists between the program and funds from the Rental Housing Revolving Fund and "moneys from other sources." Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*The S.D. 1 version of the bill removed revenue from the Rental Housing Revolving Fund as a funding source. **S.B. No. 863, S.D. 1, did not meet the first crossover deadline.

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# Hawai'i State Dividend Special Fund

## H.B. No. 469\*

### Does Not Meet Criteria

<b>Department/agency</b>	Office of the Lieutenant Governor
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai'i State Dividend Special Fund to be administered by the Office of the Lieutenant Governor. The purpose of the fund is to hold moneys for annual Hawai'i state dividend fund payments to eligible Hawai'i state residents. Moneys in the fund will be used to issue a Hawai'i state dividend fund payment on an annual basis to each eligible resident of the state.
<b>Revenue</b>	Revenues are from 3 percent of general revenues, transient accommodations tax revenues, and 1 percent of revenues collected pursuant to Chapter 237D, HRS (Transient Accommodations Tax), as amended. This bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	It is unclear whether nexus or linkage exists between the program and general revenues and tax revenues. Nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 469 did not meet the first lateral deadline.

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# Hawai'i Teacher Apprenticeship Program Special Fund

## H.B. No. 875, H.D. 1

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Education
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai'i Teacher Apprenticeship Program and the Hawai'i Teacher Apprenticeship Program Special Fund within the Department of Education. The purpose of the program is to support, recruit, develop, and retain teachers. The purpose of the special fund is to hold moneys received as repayment from individuals due to a breach in contractual agreements under the program. Moneys in the fund will be used to support the goals of the Hawai'i Teacher Apprenticeship Program and related costs.
<b>Revenue</b>	Revenues are from legislative appropriations and moneys received as repayment from individuals due to a breach in contractual agreements under the program. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025 to establish and support the program.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and moneys received as repayment from individuals due to a breach in contractual agreements under the Hawai'i Teacher Apprenticeship Program. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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# Healthy ‘Ohana Special Fund

## S.B. No. 908\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Health
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Sugar-Sweetened Beverage Fee Program and the Healthy ‘Ohana Special Fund to be administered by the Department of Health. The purpose of the fund is to hold moneys collected from fees paid by distributors of certain sugar-sweetened beverages. The bill also establishes a Healthy ‘Ohana Trust Fund as a separate fund of a qualifying nonprofit entity. Moneys in the fund will be used to implement and evaluate the Sugar-Sweetened Beverage Fee Program, to support primary prevention and chronic disease prevention “programs and supports” and as deposits into the Healthy ‘Ohana Trust Fund.
<b>Revenue</b>	Revenues are from fees collected from sugar-sweetened beverage distributors, penalties, interest and earnings accrued from the investment of moneys in the Healthy ‘Ohana Special Fund, and legislative appropriations. The bill also appropriates \$250,000 of general funds to the fund for fiscal year 2024 and \$250,000 of general funds to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and revenues collected from sugar-sweetened beverage fees, penalties, and interest and earnings accrued from the investment of moneys in the Healthy ‘Ohana Special Fund. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 908 did not meet the first lateral deadline.

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# Homeless Case Management Special Fund

## H.B. No. 1209\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Judiciary
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Homeless Case Management Program and the Homeless Case Management Special Fund to be administered by the Judiciary. The purpose of the program is to purchase services pursuant to Chapter 103F, HRS (Purchases of Health and Human Services). The purpose of the fund is to hold moneys for the program. Moneys in the fund will be used for the Homeless Case Management Program, including purchases of service pursuant to Chapter 103F, HRS.
<b>Revenue</b>	Revenues are from legislative appropriations, interest and investment earnings, and grants, donations, and contributions from private or public sources. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and interest and investment earnings, grants, donations, and contributions from private or public sources. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1209 did not meet the first lateral deadline.

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# Honolua Bay Special Fund

## S.B. No. 1153, S.D. 2, and H.B. No. 1253\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Honolua Bay Special Fund and Honolua Bay Advisory Board to administer the fund and oversee the conservation of Honolua Bay. The purpose of the fund is to collect moneys set aside for the conservation of Honolua Bay and for the upkeep and maintenance of Līpoa Point. Moneys in the fund will be used for conservation purposes, the upkeep and maintenance of Līpoa Point and the creation of an ingress and egress loop to provide surf access to Honolua Bay.
<b>Revenue</b>	Revenues are from appropriations by the Legislature, appropriations by the Maui County Council, grants from the federal government, and other gifts, donations, and grants from public agencies and private persons. The bills also appropriate unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and appropriations by the Maui County Council, grants from the federal government, and other gifts, donations, and grants from public agencies and private persons. However, nexus or linkage does not exist between the projects and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1253 did not meet the first lateral deadline.

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# Land Acquisition Revolving Fund

## H.B. No. 1305\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill authorizes and appropriates moneys for any county with a population of 500,000 or more to form partnerships with certain qualifying nonprofit corporations to execute community-initiated development projects. The bill also establishes the Land Acquisition Revolving Fund, and seven other revolving funds, to support Community-Initiated Development Projects. Projects may be funded by moneys from the funds subject to requirements to be established by the Department of Business, Economic Development and Tourism and the county. Moneys in the fund will be used for land acquisition.
<b>Revenue</b>	Revenues are from moneys received from any lawful sources and an unspecified amount of general funds appropriated to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Without additional information, it is unclear whether nexus or linkage exists between the activities and unspecified sources. Nexus or linkage does not exist between the activities described and appropriations from the general fund. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1305 did not meet the first lateral deadline.

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# Lottery and Gaming Special Fund

## S.B. No. 1107\*

### Does Not Meet Criteria

<b>Department/agency</b>	Hawai'i Lottery and Gaming Corporation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	<p>The bill establishes the Hawai'i Lottery and Gaming Corporation and the Lottery and Gaming Special Fund. The purpose of the Hawai'i Lottery and Gaming Corporation is to conduct and regulate wagering and gaming for the benefit of the State and for community betterment purposes. The purpose of the fund is to hold moneys to support the operations of the Lottery and Gaming Corporation. Moneys in the fund will be used to pay for the operating expenses of the corporation and for effectuating its corporate purposes, including the payment of the initial expenses of initiation, administration, and operation of the corporation.</p> <p>Funds will additionally be used for the following purposes:</p> <ol style="list-style-type: none"> <li>(1) Department of Education shortage differentials;</li> <li>(2) Department of Education capital improvements;</li> <li>(3) University of Hawai'i System capital improvements;</li> <li>(4) Scholarships and educational loan repayments for medical students who commit to practice medicine in Hawai'i for 10 years after completion of their residency;</li> <li>(5) University of Hawaii John A. Burns School of Medicine Family Practice Rural Residency Program;</li> <li>(6) Watershed protection;</li> <li>(7) Problem gambling reduction and prevention programs; and</li> <li>(8) Administration of the program and special fund.</li> </ol>
<b>Revenue</b>	Revenues are from any source, including income from the corporation's operations.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.

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## **Nexus or Linkage**

Nexus or linkage exists between the activities described and income from the corporation's operations that may include a proposed lottery, contracts with vendors for gaming-related purposes, the purchase, lease, or lease purchase of goods or services, the advertisement and promotion of games, and the acquisition or lease of property. However, it is unclear whether nexus or linkage exists between the program and unspecified sources. It is unclear if nexus exists between income from the corporation's operations and allocations to the Department of Education, the University of Hawai'i, and other purposes identified in the bill. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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## **Additional Information**

\*S.B. No. 1107 did not meet the first lateral deadline.

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# Modern Hawai‘i History Special Fund

## S.B. No. 1504, S.D. 2\*

### Does Not Meet Criteria

<b>Department/agency</b>	Foundation on Culture and the Arts
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Museum of Modern Hawai‘i History within the Foundation on Culture and the Arts and the Modern Hawai‘i History Special Fund. The purpose of the fund is to hold moneys to be used to create a Museum of Modern Hawai‘i History and to fund the museum’s operations. Moneys in the fund will be used for the planning, design, construction, administration, and operational costs of the Museum of Modern Hawai‘i History.
<b>Revenue</b>	Revenues are from operations, including concession fees, legislative appropriations, interest, and gifts, donations, and grants from public agencies and private persons. The bill also appropriates \$250,000 of general funds to the fund for fiscal year 2024 and \$250,000 of general funds to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between program and revenues from the operations of the Museum of Modern Hawai‘i History, including concession fees, gifts, donations, and grants from public agencies, private persons and interest earned or accrued on moneys deposited in the fund. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*The Modern Hawai‘i History Special Fund was eliminated in the S.D. 1 version of the bill and the funding source was changed to general funds.

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# Modernization Revolving Fund

## H.B. No. 1305\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill authorizes and appropriates moneys for any county with a population of 500,000 or more to form partnerships with certain qualifying nonprofit corporations to execute community-initiated development projects. The bill also establishes the Modernization Revolving Fund, and seven other revolving funds, to support community-initiated development projects. Projects may be funded by moneys from the funds subject to requirements to be established by the Department of Business, Economic Development and Tourism and the county. Moneys in the fund will be used to modernize facilities.
<b>Revenue</b>	Revenues are from moneys received from any lawful sources and an unspecified amount of general funds to be appropriated to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Without additional information, it is unclear whether nexus or linkage exists between the activities and unspecified sources. Nexus or linkage does not exist between the activities described and appropriations from the general fund. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1305 did not meet the first lateral deadline.

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# Natural Resource Management Special Fund S.B. No. 364\*, H.B. No. 956\*, and H.B. No. 1388\* Does Not Meet Criteria

<b>Department/agency</b>	Hawai‘i Tourism Authority for S.B. No. 364 and H.B. No. 956 and Department of Land and Natural Resources for H.B. No. 1388
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	S.B. No. 364 and H.B. No. 956 establish the Natural Resource Management Commission, to be placed within the Hawai‘i Tourism Authority for administrative purposes. The bill also establishes the Natural Resource Management Special Fund. H.B. No. 1388 establishes the Natural Resource Management Commission and the Natural Resource Management Special Fund, to be placed within the Department of Land and Natural Resources for administrative purposes. Moneys in the fund will be used to address impacts to natural and open space resources that are important to residents and the visitor industry.
<b>Revenue</b>	Revenues are from transient accommodations tax revenues allocated to the Natural Resource Management Special Fund; appropriations made by the Legislature; and grants and gifts made to the fund. S.B. No. 364 and H.B. No. 956 also appropriate \$30,000,000 of general funds to the fund for fiscal year 2024 and \$30,000,000 of general funds to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bills. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities and transient accommodations tax revenues, and grants and gifts made to the fund. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 364, H.B. No. 956, and H.B. No. 1388 did not meet the first lateral deadline.

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# Office of Youth Services Revolving Fund

## S.B. No. 1359\* and H.B. No. 1061\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Human Services
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bills establish the Office of Youth Services within the Department of Human Services, and the Office of Youth Services Revolving Fund. The purpose of the fund is to support the creation of the office and the development, and operation of commercial enterprise vocational programs for young adults at risk. The bill states these programs will provide young adults with necessary job skills to become productive and employed community members. Moneys in the fund will be used for the purposes of vocational programs within the Office of Youth Services.
<b>Revenue</b>	Revenues are from moneys collected from the sale of goods and services by commercial enterprise vocational programs under the Office of Youth Services and appropriations made by the Legislature to the fund.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between programs and moneys collected from the sale of goods and services by commercial enterprise vocational programs. However, nexus or linkage does not exist between the programs and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 1359 and H.B. 1061 did not meet the first lateral deadline.

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# Ombudsman’s Office Special Fund

## H.B. No. 1501\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Commerce and Consumer Affairs
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes an Ombudsman’s Office for Condominium Associations within the Department of Commerce and Consumer Affairs and the Ombudsman’s Office Special Fund. The purpose of the office is to serve as a resource for members of condominium associations, processing complaints, providing a process for disputes, providing members with access to documentation, increasing efficiency in addressing association-related issues, maintaining data on inquiries and complaints, and providing administration of the election monitoring process. The purpose of the fund is to support the creation and operation of the office.
<b>Revenue</b>	Revenues are from administrative penalties, fines, and other charges collected under this chapter; all fees required by this chapter to be deposited into the Condominium Education Trust Fund; and interest earned or accrued.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and moneys collected from penalties and fines established by the office. Without additional information, it is unclear whether nexus or linkage exists between the program and all fees required by this chapter to be deposited into the Condominium Education Trust Fund and other charges to be collected. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1501 did not meet the first lateral deadline.

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# Ombudsman’s Office Special Fund

## H.B. No. 178\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Commerce and Consumer Affairs
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Ombudsman’s Office for Homeowner Associations within the Department of Commerce and Consumer Affairs and the Ombudsman’s Office Special Fund. The purpose of the office is to serve as a resource for members of homeowner associations, processing complaints, providing a process for disputes, providing members with access to documentation, increasing efficiency in addressing association-related issues, maintaining data on inquiries and complaints, and providing administration of the election monitoring process. The purpose of the fund is to support the creation and operation of the office.
<b>Revenue</b>	Revenues are from administrative penalties, fines, and other charges collected by the office; all fees required by Chapter 514B, HRS, to be deposited into the Condominium Education Trust Fund; assessments collected for operating costs of the Ombudsman’s Office under Chapters 421I and 421J, HRS; and interest earned or accrued by the fund.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities of the office. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the office activities and administrative penalties, fines, and other charges collected by the office; assessments collected for operation of the Ombudsman’s Office; and interest earned or accrued by the fund. Without additional information, it is unclear whether nexus or linkage exists between the program and all fees required by Chapter 514B, HRS (Condominiums), that are deposited into the Condominium Education Trust Fund. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 178 did not meet the first lateral deadline.

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# Online Fantasy Sports Contests Special Fund

## S.B. No. 1146\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of the Attorney General
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Online Fantasy Sports Contests Registration and Monitoring Program within the Department of the Attorney General. The bill also establishes the Online Fantasy Sports Contests Special Fund to hold moneys for the program. Moneys in the fund will be used for the Department of Education and the acquisition, design, construction, reconstruction, improvement, repair, and maintenance of county main and general thoroughfares, highways, and other streets.
<b>Revenue</b>	Revenues are from all fees, taxes, and fines collected under the chapter, including taxes from online fantasy sports contests. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage does not exist between the activities described in the bill for the Department of Education and the acquisition, design, construction, reconstruction, improvement, repair, and maintenance of county main and general thoroughfares, highways, and other streets. Nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 1146 did not meet the first lateral deadline.

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# Packaging Waste Special Fund

## H.B. No. 1326, H.D. 1

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Health
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Zero Waste Initiative and Packaging Reduction and Reuse Program and the Packaging Waste Special Fund within the Department of Health. The purpose of the fund is to develop and implement a zero-waste initiative and packaging reduction and reuse program. Moneys in the fund will be used by the department to support the program.
<b>Revenue</b>	Revenues are from fees, payments, and penalties collected by the department pursuant to the Zero Waste Initiative and Packaging Reduction and Reuse Program chapter, appropriations from the Legislature, grants or donations, and any interest earned. The bill also appropriates an unspecified amount of general funds to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and all fees, payments, and penalties collected by the department pursuant to the Zero Waste Initiative and Packaging Reduction and Reuse Program established by this measure, grants or donations, and interest earned. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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# Packaging Waste Special Fund

## S.B. No. 649\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Health
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai'i Zero Waste Initiative Program and the Packaging Waste Special Fund within the Department of Health. The purpose of the fund is to hold moneys for packaging waste reduction and reuse activities. Moneys in the fund will be used for the programs, projects, and activities described in the bill.
<b>Revenue</b>	Revenues are from fees, payments, penalties, legislative appropriations, grants or donations, and interest. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities of the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and fees, payments, moneys from grants and donations made to the fund and penalties and interest earned. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 649 did not meet the first lateral deadline.

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# Photo Noise Violation Monitoring System Program Special Fund S.B. No. 128\* Does Not Meet Criteria

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<b>Department/agency</b>	Department of Transportation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Photo Noise Violation Monitoring System Program to monitor vehicle noise limits pursuant to Section 342F-30.5, HRS (Noise Pollution), which may be implemented by the State. The bill also establishes the Photo Noise Violation Monitoring System Program Special Fund to be administered by the Department of Transportation. Moneys in the fund are to be expended in the county in which the fine was imposed for the establishment, implementation, operation, oversight, repair, and maintenance of a Photo Noise Violation Monitoring System.
<b>Revenue</b>	Revenues are from fines imposed on the registered owner of a vehicle exceeding noise limits. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. Although revenue sources and expenses for the fund are identified, detailed financial information was not provided. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and fines imposed. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 128 did not meet the first lateral deadline.

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# Pre-Development Revolving Fund

## H.B. No. 1305\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill authorizes and appropriates moneys for any county with a population of 500,000 or more to form partnerships with certain qualifying nonprofit corporations to execute community-initiated development projects. The bill also establishes the Pre-Development Revolving Fund, and seven other revolving funds, to support community-initiated development projects. Projects may be funded by moneys from the funds subject to requirements to be established by the Department of Business, Economic Development and Tourism and the county. Moneys in the fund will be used for cost-estimates, master plans, business plans, financial feasibility studies, and all other reports and studies necessary for government approval.
<b>Revenue</b>	Revenues are from moneys received from any lawful sources. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Without additional information, it is unclear whether nexus or linkage exists between the activities described in the bill and unspecified sources. Nexus or linkage does not exist between the program and appropriations from the general fund. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1305 did not meet the first lateral deadline.

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# Public Places Special Fund

## S.B. No. 1591\*

### Does Not Meet Criteria

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<b>Department/agency</b>	All Counties
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Public Places Special Fund. Moneys in the fund will be used to contract private security to work with county law enforcement to enforce state or county laws, rules, ordinances, and regulations prohibiting camping, loitering, nuisance, and other violations in public places.
<b>Revenue</b>	Revenues are from a percentage of transient accommodations taxes and investment earnings.
<b>Analysis</b>	<b>This bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	It is unclear whether nexus or linkage exists between the activities described and transient accommodation taxes. Nexus or linkage exists between the activities described and investment earnings. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 1591 did not meet the first lateral deadline.

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# Real Property Tax Exemption Special Fund

## H.B. No. 613\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Taxation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Real Property Tax Exemption Special Fund. Moneys in the fund will be expended to replace any real property tax revenue losses incurred by a county with a population of 500,000 or more when providing real property tax exemptions to certain owners aged 65 or older.
<b>Revenue</b>	Revenues are from a percentage of conveyance tax revenues collected.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	It is unclear whether nexus or linkage exists between the activities described in the bill and conveyance tax revenues. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 613 did not meet the first lateral deadline.

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# Rent Stabilization Special Fund

## S.B. No. 1463\* and H.B. No. 1338\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Commerce and Consumer Affairs
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Hawai'i Rent Board within the Department of Commerce and Consumer Affairs for administrative and budgetary purposes and the Rent Stabilization Special Fund. The purpose of the fund is to support the activities of the Hawai'i Rent Board whose responsibilities are to publish, oversee, and enforce annual rent adjustments and conduct rental arbitration hearings, mediations, and investigatory hearings on reports of alleged wrongful evictions. Moneys in the fund will be used for the operations of the Hawai'i Rent Board.
<b>Revenue</b>	Revenues are from an unspecified annual fee on all rental agreements entered into or renewed after an unspecified date.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate why a special fund is needed to support the board or its activities. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the board and its activities and the unspecified fees that will be collected on rental agreements.
<b>Additional Information</b>	*S.B. No. 1463 and H.B. No. 1338 did not meet the first lateral deadline.

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# Repair and Maintenance Revolving Fund

## H.B. No. 1305\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill authorizes and appropriates moneys for any county with a population of 500,000 or more to form partnerships with certain qualifying nonprofit corporations to execute community-initiated development projects. The bill establishes the Repair and Maintenance Revolving Fund, and seven other revolving funds, to support community-initiated development projects. Projects may be funded by moneys from the funds subject to requirements to be established by the Department of Business, Economic Development and Tourism and the county. Moneys in the fund will be used for maintaining and repairing community-initiated development projects.
<b>Revenue</b>	Revenues are from moneys received from any lawful sources and an unspecified amount of general funds to be appropriated to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Without additional information, it is unclear whether nexus or linkage exists between the activities and unspecified sources. Nexus or linkage does not exist between the activities described and appropriations from the general fund. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1305 did not meet the first lateral deadline.

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# Rounding Up for Teachers' Salaries Special Fund

## S.B. No. 275\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Education
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Rounding Up for Teachers Program and the Rounding Up for Teachers' Salaries Special Fund. The purpose of the program is to provide additional financial support to teachers through voluntary contributions by utility customers. The purpose of the fund is to hold moneys for the purpose of providing additional compensation for Department of Education teachers. Moneys in the fund will be used to provide additional compensation for teachers, including through increases in salaries or bonuses.
<b>Revenue</b>	Revenues are from voluntary contributions from utility customers who may either round up their utility bill to the nearest dollar or contribute a specific donation amount of their choice, as well as appropriations, grants, and donations. The bill also proposes an unspecified amount of general funds to the fund for fiscal year 2024 to assist the counties in implementing the program.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. Detailed financial information regarding projected revenues and expenses was not provided. Additionally, an explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and voluntary contributions from utility customers, grants, and donations received by the department and designated for deposit into the fund. Nexus or linkage does not exist between the program and "other appropriations." Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 275 did not meet the first lateral deadline.

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# Safe Routes for People Special Fund

## S.B. No. 1506, S.D. 2\*, and H.B. No. 1418, H.D. 1\* \*\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Transportation, Highways Division
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Safe Routes for People Implementation Program within the Department of Transportation, the Safe Routes for People Implementation Committee, and the Safe Routes for People Special Fund. The purpose of the fund is to fund transportation-related projects implemented by the Department of Transportation to eliminate traffic-related deaths and serious injuries by prioritizing design that will ensure that keiki and kūpuna are able to safely “walk, bike, or roll” to common destinations. Moneys in the fund will be used to fund projects selected and approved by the Safe Routes for People Implementation Committee.
<b>Revenue</b>	Revenues are from moneys appropriated by the Legislature, federal grants or appropriations, grants, gifts, and donations made to the fund, and interest earned or accrued. The bills also appropriate \$30,000,000 of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program and the committee. An explanation of why the program and activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and federal grants or appropriations, grants, gifts, and donations made to the fund. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*The established Safe Routes for People Special Fund was eliminated in the S.D. 1 and H.D. 1 versions of the bill. The proposed S.D. 1 renames the existing “Safe Routes to School Program Special Fund” to the “Safe Routes for People Special Fund.” **H.B. No. 1418, H.D. 1, did not meet the first lateral deadline.

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# Sea Level Rise Relocation Special Fund

## S.B. No. 1032\* and H.B. No. 756, H.D. 2\*\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Sea Level Rise Relocation Special Fund to be administered by the Department of Land and Natural Resources. The purpose of the fund is to support the sea level rise relocation plan that seeks to shift development away from areas that are critically threatened by sea level rise. Moneys in the fund will be used for planning, design, development, or implementation of sea level rise relocation projects; for providing grants to counties, nongovernmental organizations, and the University of Hawai‘i; and for research and engineering studies.
<b>Revenue</b>	Revenues are from appropriations made by the Legislature, donations and contributions made by private individuals, grants provided by government agencies or other sources, proceeds from transfers of development rights and land exchanges, and proceeds from lawsuits holding industries accountable for climate change impacts that threaten the State. The bills also appropriate an unspecified amount of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and donations and contributions made by private individuals, grants provided by government agencies or other sources, proceeds from transfers of development rights and land exchanges, and proceeds from lawsuits holding industries accountable for climate change impacts that threaten the State. However, nexus or linkage does not exist between the projects and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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## **Additional Information**

\*S.B. No. 1032 did not meet the first lateral deadline.

\*\*The H.D. 2 version of the bill contains a provision that adds appropriations from the Climate Impact Special Fund if it is established to the fund's revenue and a provision that allows moneys in the fund to be used for acquisition through eminent domain of private development at risk of exposure to sea level rise and flooding.

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# Sea Level Rise Voluntary Relocation Fund

## S.B. No. 1390\* and H.B. No. 1092\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Sea Level Rise Voluntary Relocation Fund to be administered by the Department of Land and Natural Resources. The purpose of the fund is to support the sea level rise voluntary relocation plan, which will facilitate voluntary relocation of private residential development and associated public infrastructure from areas critically vulnerable to coastal erosion and flooding from sea level rise to areas outside of sea level rise exposure. Moneys in the fund will be used for planning, designing, developing, or implementing climate change and sea level rise adaption projects, and acquiring, through eminent domain, private development at risk of exposure to sea level rise and flooding.
<b>Revenue</b>	Revenues are from appropriations made by the Legislature; appropriations from the Climate Change Special Fund; donations and contributions made by private individuals or organizations; grants provided by government agencies or any other sources; proceeds from the transfer of development rights, leasebacks, and land exchanges; and proceeds from lawsuits holding industries accountable for climate change impacts that threaten Hawai'i.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support activities and projects described in the bills. An explanation of why the activities and projects cannot be successfully implemented through the general fund appropriation process was not provided.

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## **Nexus or Linkage**

Nexus or linkage exists between the activities and projects described in the bills and donations and contributions made by private individuals or organizations; grants provided by government agencies or any other sources; proceeds from the transfer of development rights, leasebacks, and land exchanges; and proceeds from lawsuits holding industries accountable for climate change impacts that threaten Hawai'i. However, nexus or linkage does not exist between the activities and projects and continued support from legislative appropriations or appropriations out of the climate change special fund. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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## **Additional Information**

\*S.B. No. 1390 and H.B. No. 1092 did not meet the first lateral deadline.

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# Shipping Container Inspection Program Special Fund S.B. No. 498, S.D. 2, and H.B. No. 216\* Does Not Meet Criteria

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<b>Department/agency</b>	Department of Public Safety
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Shipping Container Inspection Program, within the Department of Public Safety, and the Shipping Container Inspection Program Special Fund. Moneys in the fund will be used to support and administer the Shipping Container Inspection Program, which includes the use of explosive-sniffing dogs to inspect incoming shipping containers and the coordination of random inspections of shipping containers.
<b>Revenue</b>	Revenues are from appropriations by the Legislature; gifts, donations, and grants from public agencies and private persons; and proceeds collected by the Department of Transportation from shipping container import fees. The bills also appropriate an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and shipping container import fees collected by the Department of Transportation as well as gifts, donations, and grants from public agencies and private persons. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 216 did not meet the first lateral deadline.

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# Shipping Container Inspection Program Special Fund H.B. No. 686\* Does Not Meet Criteria

<b>Department/agency</b>	Department of Public Safety
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Shipping Container Inspection Program and the Shipping Container Inspection Program Special Fund. The bill requires the Department of Public Safety to develop and implement a program to randomly inspect shipping containers arriving in Honolulu for illegal fireworks and explosives smuggled into the state. The purpose of the fund is to hold moneys for the program. Moneys in the fund will be used for the support and administration of the program.
<b>Revenue</b>	Revenues are from legislative appropriations; gifts, donations and grants from public agencies and private persons; and proceeds collected by the Department of Transportation from shipping container import fees under Section 266-B(c), HRS (Harbors), established in this measure. The bill also appropriates \$250,000 of general funds to the fund for fiscal year 2024 and \$250,000 of general funds to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and proceeds collected by the Department of Transportation from shipping container import fees under Section 266-B(c), HRS, and gifts, donations, and grants from public agencies and private persons. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 686 did not meet the first lateral deadline.

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# Solar Energy System Revolving Loan Fund

## H.B. No. 949, H.D. 2\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Hawai‘i Green Infrastructure Authority
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Solar Energy Storage System Loan Program, the Renewable Energy System Installation Loan Program, and the Solar Energy System Revolving Loan Fund. The purpose of the Solar Energy Storage System Loan Program is to provide low-interest loans to allow limited, income-constrained, employed households to purchase and install residential solar energy storage systems. The purpose of the Renewable Energy System Installation Loan Program is to provide low-interest loans to purchase and install residential photovoltaic and energy storage systems, including battery storage systems. The purpose of the fund is to hold moneys from both programs. Moneys in the fund will be used for the Solar Energy Storage System Loan Program and the Renewable Energy System Installation Loan Program.
<b>Revenue</b>	Revenues are from legislative appropriations, contributions from public or private partners, and interest. The bill also appropriates general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the programs and interest earned on or accrued to moneys deposited in the special fund. Nexus or linkage also exists between the programs and contributions from public or private partners. Nexus or linkage does not exist between the programs and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*The H.D. 2 version of the bill renames the Solar Energy System Special Fund the Solar Energy System Revolving Loan Fund.

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# Space Corporation Special Fund

## H.B. No. 1230\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai‘i Space Corporation within the Department of Business, Economic Development and Tourism for administrative purposes and establishes the Space Corporation Special Fund. The purpose of the fund is to hold moneys for the Hawai‘i Space Corporation. Moneys in the fund will be used by the corporation for the operation, maintenance, and management of the Hawai‘i Space Complex and its facilities; the design and construction of new facilities; and the renovation of, or addition to, existing facilities.
<b>Revenue</b>	Revenues are from legislative appropriations, contributions from public or private partners, interest, and moneys from other sources. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and interest earned on or accrued to moneys deposited in the special fund and contributions from public or private partners. It is unclear whether nexus or linkage exists between the program and from “other moneys available to the special fund from other sources.” Nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1230 did not meet the first lateral deadline.

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# Spay and Neuter Special Fund

## S.B. No. 998\* and H.B. No. 220, H.D. 1\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Budget and Finance
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Spay and Neuter Special Fund to be administered by the Department of Budget and Finance. The purpose of fund is to address overpopulation and reproduction of free-roaming cats. Moneys in the fund will be used to provide spaying and neutering surgeries and associated veterinary care.
<b>Revenue</b>	Revenues are from state income tax refund designations to the special fund pursuant to Section 235-102.5(e), HRS (income check-off authorized), appropriations, and other moneys made available. The bills also appropriate \$50,000 of general funds to the fund for fiscal year 2024 and \$50,000 of general funds to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and state income tax refund designation to the special fund pursuant to Section 235-102.5(e), HRS. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 998 and H.B. No. 220, H.D. 1, did not meet the first crossover deadline.

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# Special Needs Recreational Playground Equipment Special Fund H.B. No. 1414\* Does Not Meet Criteria

<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Special Needs Recreational Playground Equipment Special Fund to be administered by the Department of Land and Natural Resources. The purpose of the fund is to appropriate funds to purchase and install special needs playground equipment at all playgrounds located in state and county parks and on public school grounds. Moneys in the fund will be used by the State and counties for the acquisition, installation, and maintenance of special needs recreational playground equipment.
<b>Revenue</b>	Revenues are from moneys appropriated by the Legislature. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage does not exist between the activities described and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1414 did not meet the first lateral deadline.

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# Startup Agriculture Businesses and Farms Special Fund and Value Added Startups Special Fund

## S.B. No. 825\*

### Do Not Meet Criteria

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<b>Department/agency</b>	Agribusiness Development Corporation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Startup Agriculture Businesses and Farms Special Fund and the Value Added Startups Special Fund. The purpose of the funds is to hold moneys to be expended by the Agribusiness Development Corporation. Moneys in both funds will be used to provide seed capital and venture capital investments in private sector projects for startup agricultural businesses and farms.
<b>Revenue</b>	Revenues are from legislative appropriations, contributions from public or private partners, interest, and moneys from other sources. The bill also appropriates an unspecified amount of general funds to the funds for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing special funds.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate special funds are needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described in the bill and contributions from public or private partners as well as from interest earned. It is unclear whether nexus or linkage exists between activities described and “moneys available to the special fund from other sources.” Nexus or linkage does not exist between the activities described and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 825 did not meet the first lateral deadline.

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# Start-Up Business Loan Program Special Fund

## S.B. No. 706, S.D. 1\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Hawai‘i Start-Up Business Loan Program and the Hawai‘i Start-Up Business Loan Program Special Fund. Moneys in the fund will be used to implement the Hawai‘i Start-Up Business Loan Program and to provide loans under the program.
<b>Revenue</b>	Revenues are from appropriations made by the Legislature. The bill also appropriates \$500,000 of general funds secured through the American Rescue Plan Act to the fund for fiscal year 2024 and \$500,000 of general funds secured through the American Rescue Plan Act to the fund for fiscal year 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage does not exist between program and appropriations made by the Legislature. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 706, S.D. 1, did not meet the first crossover deadline.

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# State Self-Insurance Against Property and Casualty Risks Special Fund

## H.B. No. 565, H.D. 1

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Accounting and General Services
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the State Self-Insurance Against Property and Casualty Risks Special Fund to be administered by the Department of Accounting and General Services. The purpose of the fund is to hold moneys to be used to provide the State with self-insurance coverage against property and casualty risks and to pay claims to state agencies for losses to property of the State by fire or other casualty.
<b>Revenue</b>	Revenues are from deductibles paid by state agencies for property and casualty insurance coverage, interest, and authorized advances from the state treasury. The bill also appropriates an unspecified amount of general funds to the fund annually.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described in the bill and deductibles paid by state agencies. However, nexus or linkage does not exist between the activities described and authorized advances from the state treasury and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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# Teacher Loan Program Revolving Fund

## S.B. No. 1137\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Education
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Teacher Loan Program administered by the Department of Education and the Teacher Loan Program Revolving Fund. The purpose of the fund is to provide loans to teachers who relocate to Hawai‘i or to a different complex area in Hawai‘i and to forgive those loans if the teacher remains in that teaching position for five years. Moneys in the fund will be used to incentivize teachers to move to areas with hard-to-fill positions to ensure students of Hawai‘i’s public schools receive a better educational experience.
<b>Revenue</b>	Revenues are from appropriations made by the Legislature, private contributions, repayment of loans, and other sources. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and moneys received as loan repayment from teachers. Without additional information, it is unclear whether nexus or linkage exists between the program and “moneys from other sources.” However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 1137 did not meet the first lateral deadline. A companion bill, H.B. No. 1223, H.D. 1, eliminates the Teacher Loan Revolving Fund and replaces it with the Department of Education Teacher Revolving Fund and the Public Charter School Revolving Fund.

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# Teacher Salary Special Fund

## S.B. No. 995\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Taxation
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Teacher Salary Special Fund to be administered and managed by the Department of Taxation. The purpose of the fund is to hold moneys to be used for teacher salaries and compensation. The bill amends Chapter 237, HRS (General Excise Tax Law), increasing the general excise tax and depositing additional revenues into the fund. Moneys in the fund will be used for teacher salaries and compensation authorized by Chapter 237, HRS.
<b>Revenue</b>	Revenues are from fifty percent of the additional revenues generated and collected from the increase of the general excise tax rates, as provided by Section 237-31, HRS; and moneys from other private or public sources.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus does not exist between the activities described and the additional revenues generated and collected from the increase of the general excise tax. It is unclear whether nexus or linkage exists between the activities and moneys from any other private or public source. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 995 did not meet the first lateral deadline.

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# Tourism Emergency Special Fund

## S.B. No. 1522, S.D. 2, H.B. No. 1376\*, and H.B. No. 1375, H.D. 3

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	S.B. No. 1522 and H.B. No. 1376 establish the Office of Tourism and Destination Management within the Department of Business, Economic Development and Tourism and establishes the Tourism Emergency Special Fund. H.B. No. 1375 establishes the Destination Management Agency within the Department of Business, Economic Development and Tourism and establishes the Tourism Emergency Special Fund. The purpose of the fund is for the development and implementation of emergency measures to respond to any tourism emergency. The fund would replace the existing Tourism Emergency Special Fund that would be repealed along with the Hawai'i Tourism Authority if this measure is enacted. Moneys in the fund will more specifically be used for the development and implementation of emergency measures to respond to any tourism emergency pursuant to Section 201-I, HRS, which is part of a new chapter in the statute, including providing emergency assistance to visitors during the tourism emergency.
<b>Revenue</b>	Revenues are from an unspecified amount of revenues from any transient accommodations tax, as provided by Section 237D-6.5, HRS, and investment earnings credited to the assets of the fund.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bills. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities of the office or agency created by the bills and an unspecified portion of transient accommodations taxes and investment earnings credited to the assets of the fund. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1376 did not meet the first lateral deadline.

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# Tourism Special Fund

## H.B. No. 1375, H.D. 3

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Business, Economic Development and Tourism
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	<p>The bill establishes the Destination Management Agency within the Department of Business, Economic Development and Tourism to replace the Hawai'i Tourism Authority. The agency's purpose is to promote, market, and develop Hawai'i's tourism industry. The purpose of the fund is to support the activities of the agency. Moneys in the fund will be used by the Destination Management Agency established by the bill, provided that no more than 3.5 percent of this amount shall be used for administrative expenses and at least \$1,000,000 shall be made available to support Hawai'i's natural environment and areas frequented by visitors. The fund may also be used to provide counties with grants to help support county related destination management efforts.</p>
<b>Revenue</b>	<p>Revenues are from an unspecified amount of the revenues from any transient accommodations tax, as provided by Section 237D-6.5, HRS; appropriations by the Legislature; and gifts, grants, and other funds accepted by the agency.</p>
<b>Analysis</b>	<p><b>The bill does not satisfy criteria for establishing a special fund.</b></p>
<b>Demonstrated Need For the Fund</b>	<p>There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.</p>
<b>Nexus or Linkage</b>	<p>Nexus or linkage exists between the agency and its activities and revenues from any transient accommodations tax, as provided by Section 237D-6.5, HRS, and gifts and grants to the agency. However, nexus or linkage does not exist between the agency and its activities and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.</p>

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# Unemployment Insurance Technology Special Fund S.B. No. 1383, S.D. 1, and H.B. No. 1085\* Does Not Meet Criteria

<b>Department/agency</b>	Department of Labor and Industrial Relations
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Unemployment Insurance Technology Special Fund to be administered by the Department of Labor and Industrial Relations. The purpose of the fund is to support and establish an unemployment insurance technology assessment to be imposed on employers at a rate of .01 percent of taxable wages to defray costs of operating and maintaining information technology infrastructure for the unemployment insurance program. Moneys in the fund will also be used for administrative costs related to the collection of the assessments and for the establishment and maintenance of the fund.
<b>Revenue</b>	Revenues are from moneys collected through the unemployment insurance technology assessment and moneys received from other unspecified sources.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and the unemployment insurance technology assessment. Without additional information, it is unclear whether nexus or linkage exists between the activities and unspecified sources. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*H.B. No. 1085 did not meet the first lateral deadline.

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# Visitor Green Fee Special Fund S.B. No. 658\* and H.B. No. 442\* Does Not Meet Criteria

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<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Visitor Green Fee Program to be administered by the Department of Land and Natural Resources, the Visitor Green Fee Special Fund, and the Environmental Legacy Commission within the Department of Land and Natural Resources. The purpose of the fund is to administer the Visitor Green Fee Program which will require visitors to purchase a license that is valid for one year for the use of state parks, beaches, state-owned forests, hiking trails on state-owned land, and other state-owned natural areas. Moneys in the fund will be used and allocated as directed by the Environmental Legacy Commission and to develop a visitor green fee strategic plan.
<b>Revenue</b>	Revenues are from all proceeds from visitor green fees and licenses purchased pursuant to the program; proceeds from fines collected from visitors who visit a state park, beach, state-owned forest, hiking trail on state-owned land, or other state-owned natural area without first obtaining a license; appropriations made by the Legislature; and grants and gifts made to the fund. The bills also appropriate \$3,000,000 of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities and projects of the Environmental Legacy Commission and fees and licenses purchased pursuant to the program; proceeds from fines collected from visitors who visit a state park, beach, state-owned forest, hiking trail on state-owned land, or other state-owned natural area without first obtaining a license; and grants and gifts. However, nexus or linkage does not exist between the activities described in the bill and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 658 and H.B. No. 442 did not meet the first lateral deadline.

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# Visitor Green Fee Special Fund S.B. No. 1349\* and H.B. No. 1051\* Does Not Meet Criteria

<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Visitor Green Fee Program and the Visitor Green Fee Special Fund to be administered by the Board of Land and Natural Resources. The bills also establish the Environmental Legacy Commission within the Department of Land and Natural Resources. The Visitor Green Fee Program will collect a fee from visitors through an environmental license and allocate that revenue to protect, restore, and manage natural and cultural resources impacted by visitors. The purpose of the fund is to support the Visitor Green Fee Program, which includes supporting the activities of the Environmental Legacy Commission with moneys in the fund being used to establish the Environmental Legacy Commission, to create and implement a visitor green fee strategic plan, and provide grants to nonprofit organizations not exceeding 50 percent of fee revenue annually.
<b>Revenue</b>	Revenues are from environmental licenses, fines, appropriations, and earnings on money in the fund. The bills also appropriate \$3,000,000 of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program and the commission. An explanation of why the program and the commission activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and revenue from environmental licenses, fines, and earnings on money in the fund. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*S.B. No. 1349 and H.B. No. 1051 did not meet the first lateral deadline.

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# Visitor Impact Fee Special Fund

## S.B. No. 304, S.D. 2, and H.B. No. 1162, H.D. 2\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bills establish the Visitor Impact Fee Program and the Visitor Impact Fee Special Fund to be administered by the Department of Land and Natural Resources. The bills also establish the Environmental Legacy Commission within the Department of Land and Natural Resources. The purpose of the fund is to support the Visitor Impact Fee Program that will require a license for visitors to access Hawai‘i public beaches, parks, trails, coastlines, and environment; and to provide funding for the protection, restoration, regeneration, enhancement, and care of Hawai‘i’s natural and outdoor recreational resources. Moneys in the fund will be used to establish the Environmental Legacy Commission, to create a visitor impact fee strategic plan, and for program enforcement. Moneys will also be used for grants to nonprofit organizations and counties, and to provide cost-matching funds for federal grants.
<b>Revenue</b>	Revenues are from visitor impact fees assessed to visitors as an environmental license for those who visit state parks, beaches, forests, hiking trails, or other natural areas on state land; unspecified civil fines from a person who visits without a license; appropriations made to the fund by the Legislature; and grants and gifts made to the fund. S.B. 304, S.D. 2 also appropriates an unspecified amount of general funds to the fund for fiscal year 2024 and H.B. 1162, H.D. 2 appropriates \$3,000,000 of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bills do not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to establish the commission or support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.

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**Nexus or Linkage**

Nexus or linkage exists between the program and visitor impact fees, fines, grants, and gifts made to the fund. However, nexus or linkage does not exist for continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

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**Additional Information**

\*H.B. No. 1162, H.D. 2, did not meet the first crossover deadline.

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# Waiākea Peninsula Redevelopment District Revolving Fund

## H.B. No. 1385, H.D. 2\*

### Does Not Meet Criteria

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<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Revolving fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Waiākea Peninsula Redevelopment Planning Committee and the Waiākea Peninsula Redevelopment District Revolving Fund within the Department of Land and Natural Resources. The purpose of the fund is to provide funds for the redevelopment of the Waiākea Peninsula and to support projects identified by the committee. Moneys in the fund will be used in the Waiākea Peninsula Redevelopment District for the purposes described in Chapter 171, HRS (Conservation and Resources).
<b>Revenue</b>	Revenues are from 50 percent of revenues, income, and receipts from the public lands in the Waiākea Peninsula Redevelopment District, moneys appropriated by the Legislature, and gifts, grants and other funds accepted by the committee. The bill also appropriates \$500,000 of general funds to the fund for fiscal year 2024.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a revolving fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a revolving fund is needed to support the activities described in the bill. An explanation of why the activities cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and revenue, income, and receipts from public lands in the Waiākea Peninsula Redevelopment District and grants, gifts and other funds accepted by the committee. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. Pursuant to Section 37-52.4, HRS, revolving funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*The H.D. 2 version of the bill amends the fund’s expending agency to the Waiākea Peninsula Redevelopment Planning Committee.

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# Water Neutrality Turf Replacement Special Fund

## H.B. No. 909, H.D. 1\* \*\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Water Neutrality Turf Replacement Program and Water Neutrality Turf Replacement Special Fund in the State Water Code (Chapter 174C, HRS). The purpose of the program is to provide financial incentives for individuals and entities to replace irrigated turf with water-wise landscaping. Moneys in the fund will be used to implement the program, including promoting the program and providing financial incentives to program claimants.
<b>Revenue</b>	Revenues are from legislative appropriations, gifts, donations, grants from public agencies and private persons, interest, dividends, and “other income” from these sources. The bill also appropriates an unspecified amount of general funds to the fund for fiscal years 2024 and 2025.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the program. An explanation of why the program cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the program and gifts, donations, and grants from public agencies and private persons; and between the program and moneys derived from interest, dividend, and “other income” from these sources. However, nexus or linkage does not exist between the program and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*The Water Neutrality Turf Replacement Special Fund is eliminated in the H.D. 1 version of the bill and the funding source changed to general funds. **H.B. No. 909, H.D. 1, did not meet the first lateral deadline.

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# Water Pollution Control Special Fund

## S.B. No. 1376\* and H.B. No. 1078, H.D. 1\*\*

### Does Not Meet Criteria

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**Department/agency**

Department of Health

**Fund Type**

Special fund

**Purpose of Proposed Fund**

The bills establish the Water Pollution Control Special Fund to be administered by the Department of Health. The purpose of the fund is to collect fees currently deposited to the general fund to provide a supplemental source of funding for water quality management activities as implemented in permits, certifications, and variances.

**Revenue**

Revenues are from moneys appropriated by the Legislature to the fund, any income and interest earned on the balance of the fund, and fees collected for permits, certifications and variances.

**Analysis**

**The bills do not satisfy criteria for establishing a special fund.**

**Demonstrated Need For the Fund**

There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities of the department cannot be successfully implemented through the general fund appropriation process was not provided.

**Nexus or Linkage**

Nexus or linkage exists between the activities described and fees collected for permits, certifications and variances, and any income and interest earned on the balance of the fund. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.

**Additional Information**

\*S.B. No. 1376 did not meet the first lateral deadline.

\*\*H.B. No. 1078, H.D. 1, did not meet the first crossover deadline



# Workforce Safety and Health Special Fund

## S.B. No. 722, S.D. 2\*

### Does Not Meet Criteria

<b>Department/agency</b>	Department of Land and Natural Resources
<b>Fund Type</b>	Special fund
<b>Purpose of Proposed Fund</b>	The bill establishes the Occupational Safety and Health Special Fund to be administered by the Department of Labor and Industrial Relations. The purpose of the fund is to hold moneys for personnel and operating expenses, as well as staff development and training, for occupational safety and health purposes. Moneys in the fund will be used for personnel and operating expenses and staff development training fees and expenses.
<b>Revenue</b>	Revenues are from fees collected pursuant to Section 396-5.1, HRS (Occupational Safety and Health), civil penalties assessed pursuant to Section 396-10, HRS (violations and penalties), legislative appropriations, and interest earned. Unencumbered balances shall be deposited into the general fund on or about June 30 every year. Civil penalties assessed pursuant to Section 396-10, HRS were previously deposited in the Labor Law Enforcement Special Fund.
<b>Analysis</b>	<b>The bill does not satisfy criteria for establishing a special fund.</b>
<b>Demonstrated Need For the Fund</b>	There is insufficient information to demonstrate a special fund is needed to support the activities described in the bill. An explanation of why the activities described in the bill cannot be successfully implemented through the general fund appropriation process was not provided.
<b>Nexus or Linkage</b>	Nexus or linkage exists between the activities described and fees collected pursuant to Section 396-5.1, HRS, civil penalties assessed pursuant to Section 396-10, HRS, and interested earned or accrued. However, nexus or linkage does not exist between the activities and continued support from legislative appropriations. Pursuant to Section 37-52.3, HRS, special funds must demonstrate the capacity to be financially self-sustaining.
<b>Additional Information</b>	*The S.D. 2 version of the bill renamed the proposed fund from the Occupational Safety and Health Special Fund to the Workforce Safety and Health Special Fund.