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# A BILL FOR AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES.

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

1 PART I

2 SECTION 1. The legislature finds that anti-tobacco  
3 campaigns have played a major role in the overall decline of  
4 cigarette smoking. A key tool of tobacco use control has been  
5 taxation policy, which has been shown to be particularly  
6 effective for youth, who are generally more price-sensitive, and  
7 thus less likely to start or maintain cigarette smoking when it  
8 is expensive.

9 The health effects of smoking are well established and  
10 include increased risk of heart attack, stroke, and other  
11 medical events to which Hawaii's emergency medical services  
12 system routinely responds. A clear nexus thus exists between  
13 cigarette smoking and utilization of the emergency health care  
14 system. However, due to declining rates of smoking, the long-  
15 term sustainability of the cigarette tax as a revenue source for  
16 the emergency medical system special fund is not guaranteed.



1           The purpose of this part is to repeal the emergency medical  
2 services special fund, redirect the fund's revenue sources,  
3 which are the cigarette tax, motor vehicle registration fee, and  
4 investment pool returns, to the general fund, and appropriate an  
5 equal dollar amount to the department of health for purposes of  
6 overseeing the state comprehensive emergency medical system with  
7 no discernable disruptions.

8           In fiscal year 2015-2016, emergency medical services  
9 special fund revenues from cigarette sales were \$8,800,000;  
10 revenues from vehicle registration fees were \$6,538,865; and  
11 revenues from the investment pool account were \$151,502.46.  
12 Total emergency medical system special fund revenues in fiscal  
13 year 2015-2016 were \$15,490,367.46.

14           SECTION 2. Section 36-27, Hawaii Revised Statutes, is  
15 amended by amending subsection (a) to read as follows:

16           "(a) Except as provided in this section, and  
17 notwithstanding any other law to the contrary, from time to  
18 time, the director of finance, for the purpose of defraying the  
19 prorated estimate of central service expenses of government in  
20 relation to all special funds, except the:



- 1           (1) Special out-of-school time instructional program fund
- 2                   under section 302A-1310;
- 3           (2) School cafeteria special funds of the department of
- 4                   education;
- 5           (3) Special funds of the University of Hawaii;
- 6           (4) State educational facilities improvement special fund;
- 7           (5) Convention center enterprise special fund under
- 8                   section 201B-8;
- 9           (6) Special funds established by section 206E-6;
- 10          (7) Aloha Tower fund created by section 206J-17;
- 11          (8) Funds of the employees' retirement system created by
- 12                   section 88-109;
- 13          (9) Hawaii hurricane relief fund established under chapter
- 14                   431P;
- 15          (10) Hawaii health systems corporation special funds and
- 16                   the subaccounts of its regional system boards;
- 17          (11) Tourism special fund established under section 201B-
- 18                   11;
- 19          (12) Universal service fund established under section 269-
- 20                   42;



- 1 (13) Emergency and budget reserve fund under section 328L-
- 2 3;
- 3 (14) Public schools special fees and charges fund under
- 4 section 302A-1130;
- 5 (15) Sport fish special fund under section 187A-9.5;
- 6 [+](16) [+ Neurotrauma special fund under section 321H-4;
- 7 [+](17) [+ Glass advance disposal fee established by section
- 8 342G-82;
- 9 [+](18) [+ Center for nursing special fund under section 304A-
- 10 2163;
- 11 [+](19) [+ Passenger facility charge special fund established
- 12 by section 261-5.5;
- 13 [+](20) [+ Solicitation of funds for charitable purposes
- 14 special fund established by section 467B-15;
- 15 [+](21) [+ Land conservation fund established by section 173A-
- 16 5;
- 17 [+](22) [+ Court interpreting services revolving fund under
- 18 section 607-1.5;
- 19 [+](23) [+ Trauma system special fund under section 321-22.5;
- 20 [+](24) [+ Hawaii cancer research special fund;
- 21 [+](25) [+ Community health centers special fund;



1     ~~[(26)] Emergency medical services special fund;~~  
2     ~~[(27)]~~ (26) Rental motor vehicle customer facility charge  
3             special fund established under section 261-5.6;  
4     ~~[(28)]~~ (27) Shared services technology special fund under  
5             section 27-43;  
6     ~~[(29)]~~ (28) Automated victim information and notification  
7             system special fund established under section 353-136;  
8     ~~[(30)]~~ (29) Deposit beverage container deposit special fund  
9             under section 342G-104;  
10    ~~[(31)]~~ (30) Hospital sustainability program special fund  
11            under ~~[( ]~~section 346G-4 ~~[( ])~~;  
12    ~~[(32)]~~ (31) Nursing facility sustainability program special  
13            fund under ~~[( ]~~section 346F-4 ~~[( ])~~;  
14    ~~[(33)]~~ (32) Hawaii 3R's school improvement fund under  
15            section 302A-1502.4;  
16    ~~[(34)]~~ (33) After-school plus program revolving fund under  
17            section 302A-1149.5; and  
18    ~~[(35)]~~ (34) Civil monetary penalty special fund under  
19            section 321-30.2,  
20 shall deduct five per cent of all receipts of all other special  
21 funds, which deduction shall be transferred to the general fund



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

12 SECTION 3. Section 36-30, Hawaii Revised Statutes, is  
13 amended by amending subsection (a) to read as follows:

14 "(a) Each special fund, except the:

- 15 (1) Special out-of-school time instructional program fund  
16 under section 302A-1310;
- 17 (2) School cafeteria special funds of the department of  
18 education;
- 19 (3) Special funds of the University of Hawaii;
- 20 (4) State educational facilities improvement special fund;
- 21 (5) Special funds established by section 206E-6;



- 1 (6) Aloha Tower fund created by section 206J-17;
- 2 (7) Funds of the employees' retirement system created by
- 3 section 88-109;
- 4 (8) Hawaii hurricane relief fund established under chapter
- 5 431P;
- 6 (9) Convention center enterprise special fund established
- 7 under section 201B-8;
- 8 (10) Hawaii health systems corporation special funds and
- 9 the subaccounts of its regional system boards;
- 10 (11) Tourism special fund established under section 201B-
- 11 11;
- 12 (12) Universal service fund established under section 269-
- 13 42;
- 14 (13) Emergency and budget reserve fund under section 328L-
- 15 3;
- 16 (14) Public schools special fees and charges fund under
- 17 section 302A-1130;
- 18 (15) Sport fish special fund under section 187A-9.5;
- 19 [+](16) [+] Neurotrauma special fund under section 321H-4;
- 20 [+](17) [+] Center for nursing special fund under section 304A-
- 21 2163;



- 1    [+] (18) [+]    Passenger facility charge special fund established  
2                    by section 261-5.5;
- 3    [+] (19) [+]    Court interpreting services revolving fund under  
4                    section 607-1.5;
- 5    [+] (20) [+]    Trauma system special fund under section 321-22.5;
- 6    [+] (21) [+]    Hawaii cancer research special fund;
- 7    [+] (22) [+]    Community health centers special fund;
- 8    ~~[+] (23)    Emergency medical services special fund;~~
- 9    ~~+~~(24) (23)    Rental motor vehicle customer facility charge  
10                   special fund established under section 261-5.6;
- 11   ~~[+] (25) (24)   Shared services technology special fund under~~  
12                   section 27-43;
- 13   ~~[+] (26) (25)   Nursing facility sustainability program special~~  
14                   fund established pursuant to ~~[+]section 346F-4 [+]~~;
- 15   ~~[+] (27) (26)   Automated victim information and notification~~  
16                   system special fund established under section 353-136;
- 17   ~~[+] (28) (27)   Hospital sustainability program special fund~~  
18                   under ~~[+]section 346G-4 [+]~~; and
- 19   ~~[+] (29) (28)   Civil monetary penalty special fund under~~  
20                   section 321-30.2,



1 shall be responsible for its pro rata share of the  
2 administrative expenses incurred by the department responsible  
3 for the operations supported by the special fund concerned."

4 SECTION 4. Section 245-15, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "§245-15 Disposition of revenues. All moneys collected  
7 pursuant to this chapter shall be paid into the state treasury  
8 as state realizations to be kept and accounted for as provided  
9 by law; provided that, of the moneys collected under the tax  
10 imposed pursuant to:

11 (1) Section 245-3(a)(5), after September 30, 2006, and  
12 prior to October 1, 2007, 1.0 cent per cigarette shall  
13 be deposited to the credit of the Hawaii cancer  
14 research special fund, established pursuant to section  
15 304A-2168, for research and operating expenses and for  
16 capital expenditures;

17 (2) Section 245-3(a)(6), after September 30, 2007, and  
18 prior to October 1, 2008:

19 (A) 1.5 cents per cigarette shall be deposited to the  
20 credit of the Hawaii cancer research special  
21 fund, established pursuant to section 304A-2168,



- 1                   for research and operating expenses and for  
2                   capital expenditures;
- 3           (B) 0.25 cents per cigarette shall be deposited to  
4                   the credit of the trauma system special fund  
5                   established pursuant to section 321-22.5; and
- 6           (C) 0.25 cents per cigarette shall be deposited to  
7                   the credit of the emergency medical services  
8                   special fund established pursuant to section 321-  
9                   234;
- 10          (3) Section 245-3(a)(7), after September 30, 2008, and  
11                   prior to July 1, 2009:
- 12           (A) 2.0 cents per cigarette shall be deposited to the  
13                   credit of the Hawaii cancer research special  
14                   fund, established pursuant to section 304A-2168,  
15                   for research and operating expenses and for  
16                   capital expenditures;
- 17           (B) 0.5 cents per cigarette shall be deposited to the  
18                   credit of the trauma system special fund  
19                   established pursuant to section 321-22.5;
- 20           (C) 0.25 cents per cigarette shall be deposited to  
21                   the credit of the community health centers



1 special fund established pursuant to section 321-  
2 1.65; and

3 (D) 0.25 cents per cigarette shall be deposited to  
4 the credit of the emergency medical services  
5 special fund established pursuant to section 321-  
6 234;

7 (4) Section 245-3(a)(8), after June 30, 2009, and prior to  
8 July 1, 2013:

9 (A) 2.0 cents per cigarette shall be deposited to the  
10 credit of the Hawaii cancer research special  
11 fund, established pursuant to section 304A-2168,  
12 for research and operating expenses and for  
13 capital expenditures;

14 (B) 0.75 cents per cigarette shall be deposited to  
15 the credit of the trauma system special fund  
16 established pursuant to section 321-22.5;

17 (C) 0.75 cents per cigarette shall be deposited to  
18 the credit of the community health centers  
19 special fund established pursuant to section 321-  
20 1.65; and



- 1 (D) 0.5 cents per cigarette shall be deposited to the
- 2 credit of the emergency medical services special
- 3 fund established pursuant to section 321-234;
- 4 (5) Section 245-3.(a)(11), after June 30, 2013, and prior
- 5 to July 1, 2015:
- 6 (A) 2.0 cents per cigarette shall be deposited to the
- 7 credit of the Hawaii cancer research special
- 8 fund, established pursuant to section 304A-2168,
- 9 for research and operating expenses and for
- 10 capital expenditures;
- 11 (B) 1.5 cents per cigarette shall be deposited to the
- 12 credit of the trauma system special fund
- 13 established pursuant to section 321-22.5;
- 14 (C) 1.25 cents per cigarette shall be deposited to
- 15 the credit of the community health centers
- 16 special fund established pursuant to section 321-
- 17 1.65; and
- 18 (D) 1.25 cents per cigarette shall be deposited to
- 19 the credit of the emergency medical services
- 20 special fund established pursuant to section 321-
- 21 234; [and]



- 1           (6) Section 245-3(a)(11), after June 30, 2015, and  
2           ~~[thereafter-]~~ prior to July 1, 2017:
- 3           (A) 2.0 cents per cigarette shall be deposited to the  
4           credit of the Hawaii cancer research special  
5           fund, established pursuant to section 304A-2168,  
6           for research and operating expenses and for  
7           capital expenditures;
- 8           (B) 1.125 cents per cigarette, but not more than  
9           \$7,400,000 in a fiscal year, shall be deposited  
10          to the credit of the trauma system special fund  
11          established pursuant to section 321-22.5;
- 12          (C) 1.25 cents per cigarette, but not more than  
13          \$8,800,000 in a fiscal year, shall be deposited  
14          to the credit of the community health centers  
15          special fund established pursuant to section 321-  
16          1.65; and
- 17          (D) 1.25 cents per cigarette, but not more than  
18          \$8,800,000 in a fiscal year, shall be deposited  
19          to the credit of the emergency medical services  
20          special fund established pursuant to section 321-  
21          234 ~~[.]~~ ; and



- 1        (7) Section 245-3(a)(11), on and after July 1, 2017:
- 2            (A) 2.0 cents per cigarette shall be deposited to the
- 3            credit of the Hawaii cancer research special
- 4            fund, established pursuant to section 304A-2168,
- 5            for research and operating expenses and for
- 6            capital expenditures;
- 7            (B) 1.125 cents per cigarette, but not more than
- 8            \$7,400,000 in a fiscal year, shall be deposited
- 9            to the credit of the trauma system special fund
- 10           established pursuant to section 321-22.5; and
- 11           (C) 1.25 cents per cigarette, but not more than
- 12           \$8,800,000 in a fiscal year, shall be deposited
- 13           to the credit of the community health centers
- 14           special fund established pursuant to section 321-
- 15           1.65.

16 The department shall provide an annual accounting of these  
17 dispositions to the legislature."

18        SECTION 5. Section 249-31, Hawaii Revised Statutes, is  
19 amended by amending subsection (b) to read as follows:

20        "(b) From each annual motor vehicle registration fee, the  
21 director shall deposit \$40 into the state highway fund and \$5



1 into the [~~emergency medical services special fund.~~] general  
2 fund."

3 SECTION 6. Section 321-234, Hawaii Revised Statutes, is  
4 repealed.

5 [~~§321-234 Emergency medical services special fund.~~ (a)

6 There is established within the state treasury a special fund to  
7 be known as the emergency medical services special fund to be  
8 administered and expended by the department.

9 (b) The moneys in the special fund shall be used by the  
10 department for operating a state comprehensive emergency medical  
11 services system including enhanced and expanded services, and  
12 shall not be used to supplant funding for emergency medical  
13 services authorized prior to [July 1, 2004].

14 (c) Fees remitted pursuant to section 249-31, cigarette  
15 tax revenues designated under section 245-15, interest and  
16 investment earnings attributable to the moneys in the special  
17 fund, legislative appropriations, and grants, donations, and  
18 contributions from private or public sources for the purposes of  
19 the fund, shall be deposited into the special fund.

20 (d) The department shall submit an annual report to the  
21 legislature no later than twenty days prior to the convening of



1 ~~each regular session that outlines the receipts of, and~~  
2 ~~expenditures from, the special fund." ]~~

3 SECTION 7. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so much  
5 thereof as may be necessary for fiscal year 2017-2018 and the  
6 same sum or so much thereof as may be necessary for fiscal year  
7 2018-2019 for the state comprehensive emergency medical services  
8 system.

9 The sums appropriated shall be expended by the department  
10 of health for the purpose of this part.

11 PART II

12 SECTION 8. The legislature finds that a high percentage of  
13 calls for emergency medical services are from repeat callers who  
14 call multiple times per day for issues that do not require an  
15 emergency response. Most 911 calls originate from residences,  
16 and many involve medical concerns that could be addressed by a  
17 functioning community paramedic system. The volume of calls for  
18 emergency medical services rises each year due to growth in  
19 population and tourism and often outpaces the availability of  
20 resources. The legislature finds that community paramedic  
21 services can provide appropriate services to non-emergency





**Report Title:**

Emergency Medical Services; Emergency Medical Services Special Fund; Community Paramedic Services; Appropriation

**Description:**

Repeals the Emergency Medical Services Special Fund and appropriates an equal amount of general funds to the Department of Health for emergency medical services. Appropriates funds for community paramedic services. Effective 7/1/2090. (SD2)

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

