

JAN 19 2018

A BILL FOR AN ACT

RELATING TO THE STATE COMMISSION FOR COMMUNITY INVESTMENT.

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

1 SECTION 1. The purpose of this Act is to bring about
2 positive change for current and future generations of the State
3 by making direct and strategic community investments in the
4 areas set forth in section 5(f) of the Admission Act.

5 SECTION 2. The Hawaii Revised Statutes is amended by
6 adding a new chapter to title 13 to be appropriately designated
7 and to read as follows:

8 "CHAPTER

9 STATE COMMISSION FOR COMMUNITY INVESTMENT

10 § -1 Definitions. As used in this chapter, unless the
11 context otherwise requires:

12 "Commission" means the state commission for community
13 investment.

14 "Community investment" means actions that result in
15 measurable progress and significant advancement in:

16 (1) Public schools;

17 (2) Public educational institutions;



(3) The betterment of the conditions of native Hawaiians,
as defined by section 201 of the Hawaiian Homes
Commission Act, 1920, as amended;

(4) The development of farm and home ownership on as
widespread a basis as possible for the making of
public improvements; and

(5) The provision of lands for public use.

"Executive director" means the executive director of the
state commission for community investment.

"Grant" means an award of funds to a private organization,
which may be a nonprofit organization, organized under the laws
of the State, to carry out community investment activity.

§ -2 Establishment of commission. (a) There is created
a state commission for community investment, which shall be
placed within the department of business, economic development,
and tourism for administrative purposes.

(b) The commission shall comprise seven members to be
appointed and removed by the governor pursuant to section 26-34.
The governor shall appoint:

(1) At least one member who resides in the county of
Hawaii;



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(2) At least one member who resides in the county of
Kauai; and

(3) At least one member who resides in the county of Maui.

(c) The governor shall appoint the chairperson of the
commission from among its members.

(d) The members of the commission shall serve without
compensation, but shall be reimbursed for travel and other
necessary expenses in the performance of their official duties.

(e) The commission shall appoint an executive director,
who shall:

(1) Serve as the commission's chief executive officer;

(2) Be responsible for developing and administering the
commission's programs under the commission's
direction;

(3) Serve on a part-time or full-time basis;

(4) Have, by education or extensive experience, a working
knowledge of public administration, planning,
procurement, grant programs, and economics;

(5) Be familiar with state and county planning under
chapter 226, including agency functional plans and
county community and development plans;



(6) Be exempt from chapter 76; and

(7) Employ necessary additional staff pursuant to chapter 76, within available appropriations.

§ -3 Powers; generally. The commission:

(1) Shall assist in coordinating the plans, programs, and activities of individuals, associations, corporations, and agencies advancing community investment;

(2) Shall establish written standards and criteria by which grant contracts shall be evaluated;

(3) Shall appraise the availability, adequacy, and accessibility of community investment expertise and training to all persons throughout the State and devise programs to convey this knowledge to those who would otherwise not have the opportunity to participate;

(4) Shall stimulate, guide, and promote community investment throughout the State;

(5) Shall devise and recommend legislative and administrative action for the furtherance of community investment;



- 1 (6) Shall study the availability of private and
2 governmental grants to promote the purposes of this
3 chapter;
- 4 (7) Shall, through its executive director:
- 5 (A) Administer funds allocated by grant, gift, or
6 bequest to the commission;
- 7 (B) Accept, hold, disburse, and allocate funds that
8 may become available from other governmental and
9 private sources; and
- 10 (C) Accept, hold, disburse, and allocate public funds
11 that are made available to the commission by the
12 legislature for disbursement or allocation, for
13 the purposes of this chapter;
- 14 (8) Shall submit an annual report to the governor and
15 legislature no later than twenty-one days prior to the
16 convening of each regular session, which shall
17 include:
- 18 (A) The total number and value of gifts, grants, and
19 other moneys received;
- 20 (B) Payroll disbursements;
- 21 (C) Contracts entered into; and



(D) Progress and accomplishments made,
during the preceding year;

(9) Shall conduct and support research, studies, and
investigations relating to community investment;

(10) Shall cooperate with and assist county and state
agencies in developing and implementing programs
relating to community investment; and

(11) May make and execute contracts and all other
instruments necessary or convenient for the exercise
of its powers and functions under this chapter.

§ -4 Rules. The commission shall adopt rules pursuant
to chapter 91 to effectuate the purposes of this chapter.

§ -5 State commission for community investment revolving
fund. (a) There is created the state commission for community
investment revolving fund into which all moneys received by the
commission shall be deposited, including those moneys identified
under section -6. Proceeds from the fund shall be used for
the purposes of this chapter.

(b) Except as to administrative expenditures or as
otherwise provided by law, expenditures from any revolving fund
administered by the commission may be made by the commission



1 without appropriation or allotment of the legislature; provided
2 that no expenditure shall be made from and no obligation shall
3 be incurred against any revolving fund in excess of the amount
4 standing to the credit of the fund or for any purpose for which
5 the fund may not lawfully be expended. Nothing in sections
6 37-31 to 37-41 shall require the proceeds of any revolving fund
7 administered by the authority to be reappropriated annually.

8 **§ -6 Funding.** For each fiscal year, two and one-half
9 per cent of the net proceeds from the sale or other disposition
10 from any lands held in the public land trust and the net income
11 therefrom, shall be deposited into the state commission for
12 community investment revolving fund."

13 SECTION 3. Section 171-19, Hawaii Revised Statutes, is
14 amended by amending subsection (a) to read as follows:

15 "(a) There is created in the department a special fund to
16 be designated as the "special land and development fund".
17 Subject to the Hawaiian Homes Commission Act of 1920, as
18 amended, and section 5(f) of the Admission Act of 1959, all
19 proceeds of sale of public lands, including interest on deferred
20 payments; all moneys collected under section 171-58 for mineral
21 and water rights; all rents from leases, licenses, and permits



1 derived from public lands; all moneys collected from lessees of
2 public lands within industrial parks; all fees, fines, and other
3 administrative charges collected under this chapter and chapter
4 183C; a portion of the highway fuel tax collected under chapter
5 243; all moneys collected by the department for the commercial
6 use of public trails and trail accesses under the jurisdiction
7 of the department; transient accommodations tax revenues
8 collected pursuant to section 237D-6.5(b)(5); and private
9 contributions for the management, maintenance, and development
10 of trails and accesses shall be set apart in the fund and shall
11 be used only as authorized by the legislature for the following
12 purposes:

- 13 (1) To reimburse the general fund of the State for
14 advances made that are required to be reimbursed from
15 the proceeds derived from sales, leases, licenses, or
16 permits of public lands;
- 17 (2) For the planning, development, management, operations,
18 or maintenance of all lands and improvements under the
19 control and management of the board pursuant to title
20 12, including but not limited to permanent or
21 temporary staff positions who may be appointed without



1 regard to chapter 76; provided that transient
2 accommodations tax revenues allocated to the fund
3 shall be expended as provided in section 237D-
4 6.5(b) (5);

5 (3) To repurchase any land, including improvements, in the
6 exercise by the board of any right of repurchase
7 specifically reserved in any patent, deed, lease, or
8 other documents or as provided by law;

9 (4) For the payment of all appraisal fees; provided that
10 all fees reimbursed to the board shall be deposited in
11 the fund;

12 (5) For the payment of publication notices as required
13 under this chapter; provided that all or a portion of
14 the expenditures may be charged to the purchaser or
15 lessee of public lands or any interest therein under
16 rules adopted by the board;

17 (6) For the management, maintenance, and development of
18 trails and trail accesses under the jurisdiction of
19 the department;



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1 (7) For the payment to private land developers who have
2 contracted with the board for development of public
3 lands under section 171-60;

4 (8) For the payment of debt service on revenue bonds
5 issued by the department, and the establishment of
6 debt service and other reserves deemed necessary by
7 the board;

8 (9) To reimburse the general fund for debt service on
9 general obligation bonds issued to finance
10 departmental projects, where the bonds are designated
11 to be reimbursed from the special land and development
12 fund;

13 (10) For the protection, planning, management, and
14 regulation of water resources under chapter 174C;
15 [and]

16 (11) For community investment by the state commission for
17 community investment under chapter ; and

18 ~~[-(11)-]~~ (12) For other purposes of this chapter."

19 SECTION 4. There is appropriated out of the special land
20 and development fund the sum of \$ or so much thereof as



1 may be necessary for fiscal year 2018-2019 to be deposited into
2 the state commission for community investment revolving fund.

3 SECTION 5. There is appropriated out of the state
4 commission for community investment revolving fund the sum of
5 \$ or so much thereof as may be necessary for fiscal year
6 2018-2019 to support the activities of the state commission for
7 community investment.

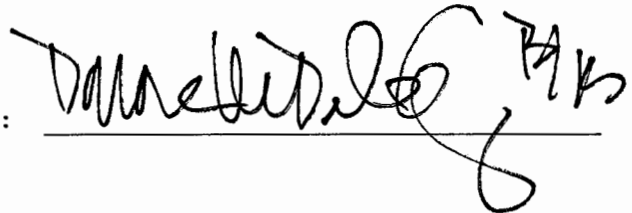
8 The sum appropriated shall be expended by the department of
9 business, economic development, and tourism for the purposes of
10 this Act.

11 SECTION 6. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 7. This Act shall take effect upon its approval.

14

INTRODUCED BY:





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Report Title:

DBEDT; Community Investment; State Commission for Community Investment; Revolving Fund; Appropriation

Description:

Creates a state commission for community investment within the Department of Business, Economic Development, and Tourism for administrative purposes to coordinate planning and provide grants for activities advancing community investment. Creates the state commission for community investment revolving fund, to be used to support the activities of the commission. Appropriates funds.

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