

ACT 42

S.B. NO. 2553

A Bill for an Act Relating to Non-General Funds.

Be It Enacted by the Legislature of the State of Hawaii:

PART I

SECTION 1. The purpose of this Act is to repeal and abolish various non-general funds and accounts pursuant to the recommendations made by the auditor in auditor's report no. 15-19.

PART II

SECTION 2. The purpose of this part is to repeal the child care licensing and registration special fund.

The legislature finds that the fund no longer serves the purpose for which it was created.

SECTION 3. Section 346-159, Hawaii Revised Statutes, is repealed.

SECTION 4. On July 1, 2016, all unencumbered balances remaining in the child care licensing and registration special fund repealed by section 3 of this Act shall lapse to the credit of the general fund.

PART III

SECTION 5. The purpose of this part is to repeal the housing first special fund.

The legislature finds that the fund does not meet the self-sustaining criterion because it relies on general fund appropriations. Thus, the fund should be repealed.

SECTION 6. Section 346-378, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The department of human services, in consultation with the United States Department of Housing and Urban Development, as necessary, shall implement housing first programs and services, as the department deems appropriate for clientele who would most likely benefit from and succeed with the implementation of housing first programs and services, and subject to the availability of existing funds ~~[or housing first special fund moneys].~~”

SECTION 7. Section 346-377, Hawaii Revised Statutes, is repealed.

SECTION 8. On July 1, 2016, all unencumbered balances remaining in the housing first special fund repealed by section 7 of this Act shall lapse to the credit of the general fund.

PART IV

SECTION 9. The purpose of this part is to repeal the housing project bond special funds.

The legislature finds that the funds do not serve the purposes for which they were created.

SECTION 10. Section 356D-23, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The trustee shall also be authorized by the authority ~~[to hold and administer any housing project bond special funds established pursuant to section 356D-28, and]~~ to receive and receipt for, hold, and administer the revenues derived by the authority from any public housing project or projects for which the bonds are issued or the projects pledged to the payment of the bonds, and to apply the revenues to the payment of the cost of administering, operating, and maintaining the public housing project or projects, to pay the principal of and the interest on the bonds, to the establishment of reserves, and to other purposes as may be authorized in the proceedings providing for the issuance of the bonds.”

SECTION 11. Section 356D-28, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§356D-28]]~~ **Public housing revolving fund**~~;~~ ~~housing project bond special funds].~~ (a) There is established the public housing revolving fund to be administered by the authority. Notwithstanding section 36-21, the proceeds in the

ACT 42

fund shall be used for long-term and other special financings of the authority and for necessary expenses in administering this chapter.

(b) All moneys received and collected by the authority, not otherwise pledged, obligated, or required by law to be placed in any other special fund, shall be deposited into the public housing revolving fund.

~~[(c) A separate special fund shall be established for each public housing project or projects financed from the proceeds of bonds secured under the trust indenture. Each fund shall be designated "housing project bond special fund" and shall bear any additional designation as the authority deems appropriate to properly identify the fund.~~

~~(d) Notwithstanding any other law to the contrary, all revenues, income, and receipts derived from a public housing project or projects financed from the proceeds of bonds or pledged to the payment of principal of and interest and premium on bonds, shall be paid into the housing project bond special fund established for the public housing project or projects and applied as provided in the proceedings authorizing the issuance of bonds.]”~~

SECTION 12. On July 1, 2016, all unencumbered balances remaining in all housing project bond special funds repealed by section 11 of this Act shall lapse to the credit of the general fund.

PART V

SECTION 13. The temporary deposits - payroll overpayment housing and community development corporation of Hawaii trust fund, administratively created in 2006, is reclassified as a trust account.

PART VI

SECTION 14. The following funds and accounts are abolished:

- (1) The blueprint for change program special fund administratively established in 2010;
- (2) The costs related to homeless assistance special fund administratively established in 2003;
- (3) The Hale Mahaolu special fund administratively created in 2010;
- (4) The Hawai'i immigrant health initiative program special fund administratively created in 2010;
- (5) The outreach services special fund administratively created in 2010;
- (6) The outreach services to located uninsured children special fund administratively created in 2010;
- (7) The outstationed eligibility worker services special fund administratively created in 2010;
- (8) The shelter plus care program special fund administratively created in 2010;
- (9) The support domestic violence shelters statewide special fund administratively established in 2010; and
- (10) The financial assistance for housing special fund administratively established in 2001;

and any remaining unencumbered balances shall be transferred to the emergency and budget reserve fund established pursuant to section 328L-3, Hawaii Revised Statutes.

PART VII

SECTION 15. The following funds and accounts are abolished:

- (1) The blind shop revolving and handicraft fund established by section 347-12, Hawaii Revised Statutes, which has been repealed by Act 147, Session Laws of Hawaii 2015;
 - (2) The department of human services homeless trust fund created in 2006;
 - (3) The Geist foundation trust account created in 1997;
 - (4) Kahikolu 'Ohana O Wai'anae project trust fund created in 2007;
and
 - (5) The recruitment of foster parents trust account created in 1987;
- and any remaining unencumbered balances shall be transferred to the general fund.

PART VIII

SECTION 16. Statutory material to be repealed is bracketed and stricken.¹ New statutory material is underscored.²

SECTION 17. This Act shall take effect on July 1, 2016.

(Approved April 29, 2016.)

Notes

1. Edited pursuant to HRS §23G-16.5.
2. No underscored material.