

JAN 16 2014

A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HAWAIIAN HOME LANDS.

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

1 SECTION 1. Section 213, Hawaiian Homes Commission Act,
2 1920, as amended, is amended by amending subsection (f) to read
3 as follows:
4 "(f) Hawaiian home administration account. The entire
5 receipts derived from any leasing or other disposition of the
6 available lands pursuant to section [+]204(a)(2) [~~+~~and];
7 transfers from the Hawaiian home receipts fund; and general
8 excise tax realizations pursuant to section 237-31 shall be
9 deposited into this account[-]; provided that deposits pursuant
10 to section 237-31 shall be expended for operational expenses of
11 the department. Any interest or other earnings arising out of
12 investments from this fund shall be credited to and deposited
13 into this fund. The moneys in this account shall be expended by
14 the department for salaries and other administration expenses of
15 the department in conformity with general law applicable to all
16 departments of the State, and no sums shall be expended for
17 structures and other permanent improvements. This account shall
18 be subject to the following conditions and requirements:



1 (1) The department, when required by the governor but not
2 later than November 15 preceding each regular session
3 of the legislature, shall submit to the state director
4 of finance its budget estimates of expenditures for
5 the next fiscal period in the manner required by
6 general law;

7 (2) The department's budget as approved by the governor
8 shall be included in the governor's budget report and
9 shall be transmitted to the legislature for its
10 approval;

11 (3) Upon legislative approval of a budget, the amount
12 appropriated shall be made available to the
13 department. If no budget is approved by the
14 legislature prior to its adjournment, sums accruing to
15 this account shall not be expended for any other
16 purpose but shall remain available for future use.
17 Any amount in this account which is in excess of the
18 amount approved by the legislature or made available
19 for the fiscal period may be transferred to the
20 Hawaiian home operating fund."

21 SECTION 2. Section 237-31, Hawaii Revised Statutes, is
22 amended to read as follows:



1 "§237-31 **Remittances.** All remittances of taxes imposed by
2 this chapter shall be made by money, bank draft, check,
3 cashier's check, money order, or certificate of deposit to the
4 office of the department of taxation to which the return was
5 transmitted. The department shall issue its receipts therefor
6 to the taxpayer and shall pay the moneys into the state treasury
7 as a state realization, to be kept and accounted for as provided
8 by law; provided that:

- 9 (1) A sum, not to exceed \$5,000,000, from all general
10 excise tax revenues realized by the State shall be
11 deposited in the state treasury in each fiscal year to
12 the credit of the compound interest bond reserve fund;
- 13 (2) A sum from all general excise tax revenues realized by
14 the State that is equal to one-half of the total
15 amount of funds appropriated or transferred out of the
16 hurricane reserve trust fund under sections 4 and 5 of
17 Act 62, Session Laws of Hawaii 2011, shall be
18 deposited into the hurricane reserve trust fund in
19 fiscal year 2013-2014 and in fiscal year 2014-2015;
20 provided that the deposit required in each fiscal year
21 shall be made by October 1 of that fiscal year; [and]




1 [+] (3) [+] Commencing with fiscal year 2018-2019, a sum from all
2 general excise tax revenues realized by the State that
3 represents the difference between the state public
4 employer's annual required contribution for the
5 separate trust fund established under section 87A-42
6 and the amount of the state public employer's
7 contributions into that trust fund shall be deposited
8 to the credit of the State's annual required
9 contribution into that trust fund in each fiscal year,
10 as provided in section 87A-42[-]; and

11 (4) Commencing with fiscal year 2014-2015, a sum not to
12 exceed \$ from all general excise tax
13 revenues realized by the State shall be deposited in
14 the Hawaiian home administration account pursuant to
15 section 213 of the Hawaiian Homes Commission Act,
16 1920, as amended."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect on July 1, 2014.

20

INTRODUCED BY: Shiranne Chun Oskland




S.B. NO. 2268

Report Title:

Hawaiian Home Lands; General Excise Tax

Description:

Requires a portion of the general excise tax to be deposited into the Hawaiian home administration account for operational expenses.

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