
A BILL FOR AN ACT

RELATING TO FINANCING.

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

1 SECTION 1. The legislature finds that the tension between
2 managing the health and safety of Hawaii's residents and
3 visitors from the coronavirus and its highly contagious
4 variants, while managing the economic health of Hawaii's
5 hospitality industry and small businesses over the past two
6 years has heightened the importance of diversifying Hawaii's
7 economic base while simultaneously investing resources toward
8 recovery efforts. Additionally, while the pandemic has
9 demonstrated the importance of ensuring the health of our people
10 and economic health, the legislature also finds that it is
11 equally important to invest resources to ensure Hawaii's
12 environmental health.

13 As an example, the legislature finds that the State's
14 streams, groundwater, and ocean are being harmed by nonpoint
15 contamination sources that flow directly off the land, rather
16 than through pipes or ditches. Cesspools are a nonpoint
17 contamination source of great concern. These substandard



1 systems are essentially holes in the ground that do not treat
2 wastewater but merely dispose of polluted wastewater.

3 There are approximately eighty-eight thousand cesspools in
4 the State, with nearly fifty thousand on Hawaii island,
5 approximately fourteen thousand on Kauai, over twelve thousand
6 on Maui, over eleven thousand on Oahu, and approximately one
7 thousand four hundred on Molokai. Collectively, the State's
8 cesspools release more than fifty-three million gallons of
9 untreated sewage into the ground each day. Hawaii relies on
10 groundwater for ninety per cent of its drinking water.

11 In response to the State's cesspool pollution problem,
12 legislation was enacted in 2017 that requires all cesspools not
13 excluded by the director of health to be upgraded or converted
14 to director of health-approved wastewater systems, or connected
15 to sewage systems by January 1, 2050; however, cesspool
16 conversions, which are estimated to cost some \$1,300,000,000,
17 have been lagging.

18 The legislature further finds that Hawaii is susceptible to
19 property loss due to hurricanes, tropical storms, and strong
20 winds. The best long-term solution to reducing potential damage
21 is the statewide use of wind resistive devices. While residents



1 should inspect, repair, and reinforce their residences to
2 prepare for the possibility of a hurricane making landfall, said
3 inspection, repair, and reinforcement consume resources from
4 homeowners' budgets. Improved properties that are not using
5 energy conservation or production strategies contribute to the
6 burden and reliance on fossil fuels. Improved properties not
7 protected with wind or flood resistant qualifying improvements
8 contribute to the burden affecting all properties resulting from
9 potential wind or flood damage. Improved properties that do not
10 use septic tanks or are not connected to wastewater sewage
11 systems contribute to water quality problems affecting the
12 State, and properties that are not protected from harmful
13 environmental health hazards contribute to the environmental
14 health burdens affecting the State.

15 In order to make qualifying improvements more affordable
16 and assist property owners who wish to undertake such
17 improvements, the legislature finds that there is a compelling
18 state interest in enabling property owners to voluntarily
19 finance such improvements with local government assistance.
20 Innovative, non-traditional financing options and repayment



1 mechanisms help bridge financing gaps, attract private capital,
2 and address specific market failures and institutional barriers.

3 Providing non-traditional financing options to assist low-
4 and moderate-income homeowners and other eligible property
5 owners for the upgrade, conversion, or connection to municipal
6 or private wastewater systems, installation of energy
7 conservation, or renewable energy retrofits, improve a
8 property's resilience and remove health hazards while
9 facilitating other allowable purposes by addressing access to
10 capital obstacles and enabling the financing of qualifying
11 improvements through the execution of property assessment
12 financing contracts. The related imposition of voluntary
13 assessments is reasonable and necessary to serve and achieve a
14 compelling state interest and is necessary for the prosperity
15 and welfare of the State and its property owners.

16 Additionally, leveraging these non-traditional financing
17 options and repayment mechanisms will accelerate economic
18 recovery and economic diversification efforts statewide.

19 The purpose of this Act is to establish an at- or below-
20 market interest loan program and authorize property assessed



1 financing for environmental, economic recovery, and economic
2 diversification projects and initiatives.

3 SECTION 2. Chapter 196, Hawaii Revised Statutes, is
4 amended by adding two new sections to part IV to be
5 appropriately designated and to read as follows:

6 **"§196-A Environmental and economic development revolving**
7 **loan fund.** (a) There is established in the Hawaii green
8 infrastructure special fund established pursuant to section 196-
9 65 the environmental and economic development revolving loan
10 fund, similar to a revolving line of credit, which shall be
11 administered by the authority. Funds deposited into the
12 environmental and economic development revolving loan fund shall
13 not be under the jurisdiction of nor be subject to public
14 utilities commission approval and shall include:

15 (1) Funds from federal, state, county, private, or other
16 funding sources;

17 (2) Investments from public or private investors;

18 (3) Moneys received as repayment of loans and interest
19 payments; provided that the repayment of loans and
20 interest payments under this paragraph shall not

21 include repayment of loans and interest collected as a



1 result of funds advanced from proceeds of the green
2 energy market securitization bonds;

3 (4) All interest earned on the loans, deposits, or
4 investments of the moneys in the environmental and
5 economic development revolving loan fund; and

6 (5) Any fees collected by the authority under this
7 section; provided that moneys collected as a result of
8 the funds advanced from proceeds of the green energy
9 market securitization bonds shall be kept separate
10 from fees collected as a result of funds advanced from
11 proceeds of the environmental and economic development
12 revolving loan fund.

13 (b) Moneys in the environmental and economic development
14 revolving loan fund shall be used to provide at- or below-market
15 rate loans or other authorized financial assistance to eligible
16 public, private, and nonprofit borrowers for environmental and
17 economic diversification investments, qualifying improvements,
18 or other authorized uses on terms approved by the authority,
19 including lessees on Hawaiian home lands with cesspools to be
20 upgraded or converted to director of health-approved wastewater
21 systems or connected to sewer systems. Moneys from the fund may



1 be used to cover administrative and legal costs of fund
2 management and management associated with individual loans,
3 including personnel, services, technical assistance, data
4 collection and reporting, materials, equipment, and travel for
5 the purposes of this section.

6 (c) Appropriations or authorizations from the
7 environmental and economic development revolving loan fund shall
8 be expended by the authority. The authority may contract with
9 other public or private entities for the provision of all or a
10 portion of the services necessary for the administration and
11 implementation of the loan fund program. The authority may set
12 fees or charges for fund management and technical site
13 assistance provided under this section. The authority may adopt
14 rules pursuant to chapter 91 to carry out the purposes of this
15 section.

16 (d) The authority may establish subaccounts within the
17 fund as necessary.

18 **§196-B Property assessed financing program.** (a) Any
19 county having a charter may authorize the authority, pursuant to
20 this section, to offer a property assessed financing program
21 within its jurisdiction and may contract with the authority for



1 such purpose, and any county having a charter may enact its own
2 property assessed financing program pursuant to this section and
3 sections 46-80(b) and (c), 196-61, and 196-64.

4 (b) The authority, as administrator of the property
5 assessed financing program, shall coordinate with each county to
6 bill and collect a non-ad valorem special tax assessment on a
7 benefitted property as a repayment mechanism on the real
8 property tax bill. The non-ad valorem special tax assessment on
9 a benefitted property shall not be a generally applicable tax
10 upon the real property but shall be collected in the same manner
11 as real property taxes as a result of the benefit to the
12 property owners for qualifying improvements.

13 (c) The authority shall design a property assessed
14 financing program authorized under section 46-80(b) that
15 addresses market needs while attracting private capital and that
16 shall, at a minimum, include the following elements:

17 (1) A property assessed financing lender may enter into a
18 property assessed financing assessment contract to
19 finance or refinance a qualifying improvement only
20 with the record owner of the affected property and the
21 authority. Each property assessed financing



1 assessment contract shall be executed by the authority
2 as administrator of the property assessed financing
3 program. A property assessed financing assessment
4 contract shall require the authority to assign,
5 pledge, and transfer revenues to be derived from
6 property assessed financing assessments to one or more
7 property assessed financing lenders as security for
8 their direct financing of qualifying improvements.
9 The obligation of the authority to transfer such
10 revenues to one or more property assessed financing
11 lenders shall be evidenced by the property assessed
12 financing assessment contract as an instrument of
13 indebtedness in such form as may be prescribed by the
14 authority, and no other bonds shall be required to be
15 issued by the State, the authority, any county, or any
16 other public entity in order to cause qualifying
17 improvements to be funded through a property assessed
18 financing assessment contract;
19 (2) Qualifying improvements shall be affixed to a building
20 or facility or affixed to real property, subject to
21 property assessed financing assessments;



1 (3) Before entering into a property assessed financing
2 assessment contract, the property assessed financing
3 lender shall reasonably determine that:

4 (A) For residential properties:

5 (i) The property owner has an ability to pay the
6 estimated annual property assessed financing
7 assessment;

8 (ii) All property taxes and any other assessments
9 levied on the same bill as property taxes
10 are paid and have not been delinquent for
11 the preceding three years or the property
12 owner's period of ownership, whichever is
13 less;

14 (iii) There are no involuntary liens, including
15 but not limited to construction liens, on
16 the property;

17 (iv) No notices of default or other evidence of
18 property-based debt delinquency have been
19 recorded during the preceding three years or
20 the property owner's period of ownership,
21 whichever is less; and



1 (v) The property owner is current on all
2 mortgage debt on the property; and

3 (B) For commercial properties:

4 (i) The property owner is able to borrow the
5 amount of the property assessed financing
6 using reasonable commercial underwriting
7 practices;

8 (ii) All property taxes applicable to such
9 property, and any other assessments levied
10 on the same bill as property taxes, are
11 paid; and

12 (iii) There are no involuntary liens applicable to
13 such property, including but not limited to
14 construction liens, that will not be paid or
15 satisfied upon the closing of the financing;

16 (4) The property assessed financing assessment contract
17 shall include the amount of an annual assessment over
18 a fixed term that will appear as a non-ad valorem
19 special tax assessment on the property owner's tax
20 bill annually;



1 (5) The property assessed financing assessment contract,
2 or summary memorandum of such contract, shall be
3 recorded by the property assessed financing lender in
4 the public records of the State or of the county
5 within which the property is located within five days
6 after execution by the parties to the contract. The
7 recorded contract shall provide constructive notice of
8 the levy of, and obligation of the property owner to
9 pay, the property assessed financing assessment. The
10 property assessed financing assessment to be levied on
11 the property shall be a non-ad valorem special tax
12 assessment and a lien against the property on a parity
13 with the lien of general real property taxes and the
14 lien of any other assessments levied under section 46-
15 80, from the date of recordation entered into pursuant
16 to this section until paid or satisfied in accordance
17 with the property assessed financing assessment
18 contract;

19 (6) The following provisions regarding lienholders:

20 (A) For residential properties:



1 (i) Without the consent of the holders or loan
2 servicers of any mortgage encumbering or
3 otherwise secured by residential property,
4 the total principal amount funded through
5 any property assessed financing assessment
6 contract secured with a non-ad valorem
7 special tax assessment for a residential
8 property under this part shall not exceed
9 twenty per cent of the market value of the
10 property as determined by the county
11 property appraiser. This limitation shall
12 not apply to any property assessed financing
13 assessment on residential property that is
14 consented to by the holders or loan
15 servicers of any mortgage encumbering or
16 otherwise secured by the property; and
17 (ii) At least thirty days before entering into a
18 property assessed financing assessment
19 contract for residential property, the
20 property owner shall provide to the holders
21 or loan servicers of any existing mortgages



1 encumbering or otherwise secured by the
2 property a notice of the owner's intent to
3 enter into a property assessed financing
4 assessment contract together with the
5 maximum principal amount to be financed and
6 the maximum annual assessment necessary to
7 repay that amount and any incidental fees.
8 A verified copy or other proof of such
9 notice shall be provided to the property
10 assessed financing lender. A provision in
11 any agreement between a mortgagee or other
12 lienholder and a property owner that allows
13 for acceleration of payment of the mortgage,
14 note, or lien or other unilateral
15 modification solely as a result of entering
16 into a property assessed financing
17 assessment contract as provided for in this
18 section shall not be enforceable. This
19 section shall not limit the authority of the
20 holder or loan servicer to increase the
21 required monthly escrow by an amount



1 necessary to annually pay the qualifying
2 improvement assessment; and

3 (B) For commercial properties, before entering into a
4 property assessed financing assessment contract
5 for any commercial property, the property owner
6 shall provide the authority and the property
7 assessed financing lender with evidence of the
8 written consent of each holder or loan servicer
9 of any mortgage that encumbers or otherwise
10 secures such commercial property at the time of
11 the execution of the property assessed financing
12 assessment contract by the parties; provided that
13 such consents shall be in a form prescribed by
14 the authority;

15 (7) Sale of subject property. At or before the time a
16 purchaser executes a contract for the sale and
17 purchase of any property for which a non-ad valorem
18 special tax assessment has been levied under this part
19 and has an unpaid balance due, the seller shall give
20 the prospective purchaser a written disclosure



1 statement notifying the prospective purchaser of the
2 property assessed financing assessment;

3 (8) The term of the property assessed financing assessment
4 contract shall not exceed the useful life of the
5 qualifying improvement being installed or the weighted
6 average useful life of all qualifying improvements
7 being financed if multiple qualifying improvements are
8 being financed, as determined by the authority; and

9 (9) Prior to the execution by the authority of the first
10 property assessed financing assessment contract in a
11 county, the authority shall enter into a contract with
12 the county director of finance or county director of
13 budget and fiscal services to cause such director to
14 levy and collect any property assessed financing
15 assessment approved and certified by the authority to
16 the director for collection. The director shall levy
17 and collect any property assessed financing assessment
18 approved by the authority. Each property assessed
19 financing assessment so approved for collection shall
20 be a non-ad valorem special tax assessment and shall
21 be collected in the same manner as general real



1 property taxes are collected and be subject to the
2 same penalties and same procedure, sale, and lien
3 priority, subject to this section, in case of
4 delinquency as is provided by general law for default
5 of the payment of real property taxes, unless another
6 procedure is agreed upon by the authority and the
7 director. The director may add to any property
8 assessed financing assessment such reasonable
9 administrative costs as are agreed upon by the
10 authority and the director. The director shall remit
11 any property assessed financing assessments collected,
12 less any reasonable administrative costs added by the
13 director, to or on the direction of the authority, for
14 further application by the authority to pay each
15 property assessed financing lender and to pay the
16 reasonable administrative costs of the authority in
17 accordance with each property assessed financing
18 assessment contract. The director shall covenant in a
19 contract or instrument, for the benefit of any
20 property assessed financing lender or bondholder, to
21 commence and diligently pursue to completion the



1 foreclosure of delinquent property assessed financing
2 assessments and any penalty, interest, and costs by
3 advertisement and sale and with the same effect as
4 provided by general law for sales of real property
5 pursuant to default in payment of property taxes. The
6 covenant shall specify a deadline for commencement of
7 the foreclosure sale and any other terms and
8 conditions the county director of finance or county
9 director of budget and fiscal services determines
10 reasonable regarding the foreclosure sale. For
11 property assessed financing assessments levied but not
12 paid when due pursuant to a property assessed
13 financing assessment contract, the foreclosure of the
14 lien of the property assessed financing assessment,
15 lien of general real property taxes or any other
16 assessments levied under section 46-80, or any other
17 lien foreclosed, shall not accelerate or extinguish
18 the remaining term of the property assessed financing
19 assessment as approved in the property assessed
20 financing assessment contract."



SECTION 3. Section 46-80, Hawaii Revised Statutes, is amended to read as follows:

"§46-80 Improvement by assessment; financing. (a) Any county having a charter may enact an ordinance, and may amend the same from time to time, providing for the making and financing of improvement districts in the county, and ~~[such]~~ the improvements may be made and financed under ~~[such]~~ the ordinance. The county may issue and sell bonds to provide funds for ~~[such]~~ the improvements. Bonds issued to provide funds for ~~[such]~~ the improvements may be either bonds when the only security therefor is the properties benefited or improved or the assessments thereon or bonds payable from taxes or secured by the taxing power of the county. If the bonds are secured only by the properties benefited or improved or the assessments thereon, the bonds shall be issued according and subject to the provisions of the ordinance. If the bonds are payable from taxes or secured by the taxing power, the bonds shall be issued according and subject to chapter 47. Except as is otherwise provided in section 46-80.1, in assessing land for improvements a county shall assess the land within an improvement district according to the special benefits conferred upon the land by the



1 special improvement; these methods include assessment on a
2 frontage basis or according to the area of land within an
3 improvement district, or any other assessment method [~~which~~]
4 that assesses the land according to the special benefit
5 conferred, or any combination thereof.

6 (b) There is established a special improvement program to
7 be known as a property assessed financing program, which shall
8 be administered by the Hawaii green infrastructure authority. A
9 property owner may apply to a property assessed financing
10 lender, approved by the authority, for property assessed
11 financing to pay the cost of qualifying improvements and enter
12 into a property assessed financing contract with a property
13 assessed financing lender and the authority. Costs incurred for
14 qualifying improvements shall be levied and collected by each
15 county, as provided in section 196-B, as a non-ad valorem
16 special tax assessment on the benefitted property. The
17 authority, on behalf of the State, shall authorize property
18 assessed financing assessment contracts as instruments of
19 indebtedness in such form as may be prescribed by the authority.
20 Property assessed financing assessment contracts authorized to
21 finance qualifying improvements, when the only security is the



1 non-ad valorem special tax assessment levied against benefitted
2 or improved property, shall be excluded from any determination
3 of the power of the State to issue general obligation bonds or
4 funded debt for purposes of section 13 of article VII of the
5 state constitution.

6 (c) Any county having a charter may enact an ordinance,
7 and may amend the same from time to time, to establish a special
8 improvement program containing the same elements as the property
9 assessed financing program authorized under chapter 196, except
10 that any program so established shall be administered by the
11 county in lieu of administration by the authority. The county
12 shall assume all of the responsibilities of the authority
13 provided in chapter 196, including determining qualifying
14 improvements eligible for property assessed financing. A
15 property owner may apply to the county for property assessed
16 financing to pay the costs of qualifying improvements and enter
17 into a property assessed financing contract with an approved
18 property assessed financing lender and the county. Costs
19 incurred for qualifying improvements shall be levied and
20 collected by each county, as provided in section 196-B, as a
21 non-ad valorem special tax assessment on the benefitted



1 property. The county may issue revenue bonds to finance or
2 refinance such improvements, and the form of any such revenue
3 bond may be a property assessed financing assessment contract or
4 other instrument prescribed by the county. Bonds issued to
5 finance qualifying improvements, when the only security is the
6 non-ad valorem special tax assessment levied against benefitted
7 or improved property, shall be excluded from any determination
8 of the power of the county to issue general obligation bonds or
9 funded debt for purposes of article VII, section 13, of the
10 state constitution."

11 SECTION 4. Section 196-61, Hawaii Revised Statutes, is
12 amended by adding nine new definitions to be appropriately
13 inserted and to read as follows:

14 "Commercial property" means any existing or new real
15 property not defined as a residential property, and shall
16 include any such property where there is a leasehold or
17 possessory interest in such property and any agricultural
18 property.

19 "County director of finance" or "county director of budget
20 and fiscal services" means the officer or officers of the county



1 charged with the responsibility of administering the real
2 property taxation function of the county.

3 "Non-ad valorem special tax assessment" means a special tax
4 assessment or governmental charge levied by the county as
5 provided in section 196-B on a benefitted property that appears
6 on a property tax bill.

7 "Property assessed financing assessment" means the non-ad
8 valorem special tax assessment that secures the repayment of
9 financing obtained by an owner of commercial or residential
10 property for a qualifying improvement and that appears on a
11 property tax bill.

12 "Property assessed financing assessment contract" means the
13 financing contract, under the property assessed financing
14 program, by and among one or more property assessed financing
15 lenders, one or more property owners, and the authority as
16 administrator of the property assessed financing program for the
17 acquisition or installation of qualifying improvements.

18 "Property assessed financing lender" means a private or
19 public lender approved by the authority, as property assessed
20 financing program administrator, to originate property assessed
21 financing assessment contracts, and which may include any



1 successor or assignee of such lender as provided in a property
2 assessed financing assessment contract.

3 "Property assessed financing program" means a program to
4 finance qualifying improvements on commercial and residential
5 properties that is repaid through a non-ad valorem special tax
6 assessment on the property owner's property tax bill.

7 "Qualifying improvement" means septic systems or aerobic
8 treatment unit systems or connections to sewer systems, clean
9 energy technologies, efficiency technologies, resiliency
10 measures, and other improvements approved by the authority.

11 "Residential property" means any existing or new real
12 property consisting of any single-family dwelling or townhouse
13 or any multi-family dwelling or townhouse consisting of four or
14 fewer units, and shall include any such property where there is
15 a leasehold or possessory interest in such property."

16 SECTION 5. Section 196-64, Hawaii Revised Statutes, is
17 amended by amending subsections (c) and (d) to read as follows:

18 "(c) In the performance of the functions, powers, and
19 duties vested in the authority by this part, the authority shall
20 administer the clean energy and energy efficiency revolving loan
21 fund pursuant to section 196-65.5 and the environmental and



1 economic development revolving loan fund pursuant to section
2 196-A and may:

3 (1) Make loans and expend funds to finance the purchase or
4 installation of clean energy technology and services;
5 upgrade or convert a cesspool to a director of health-
6 approved wastewater system; connect a cesspool to a
7 sewer system; and finance eligible environmental,
8 economic recovery, and economic diversification
9 projects and initiatives and other qualifying
10 improvements;

11 (2) Implement and administer loan programs on behalf of
12 other ~~[state departments or agencies]~~ government
13 entities and municipalities through a memorandum of
14 agreement and expend funds appropriated to the
15 ~~[department or agency]~~ government entity and
16 municipality for purposes authorized by the
17 legislature~~[+]~~, government entity, and municipality;

18 (3) Utilize all repayment mechanisms, including the on-
19 bill repayment mechanism, as authorized by the green
20 energy money saver on-bill program, property assessed
21 financing assessment program, financing tools,



- 1 servicing and other arrangements, and sources of
2 capital available to the authority;
- 3 (4) Exercise powers to organize and establish special
4 purpose entities as limited liability companies under
5 the laws of the State;
- 6 (5) Acquire, hold, and sell qualified securities;
- 7 (6) Pledge unencumbered net assets, loans receivable,
8 assigned agreements, and security interests over
9 equipment financed, as collateral for the authority's
10 borrowings from federal, county, or private lenders or
11 agencies;
- 12 (7) Utilize the employees of the authority, including the
13 executive director;
- 14 (8) Enter into contracts for the service of consultants
15 for rendering professional and technical assistance
16 and advice and any other contracts that are necessary
17 and proper for the implementation of the loan fund
18 program;
- 19 (9) Enter into contracts for the administration of the
20 loan fund program exempt from chapter 103D;
- 21 (10) Establish loan fund program guidelines;



(11) Be audited at least annually by a firm of independent certified public accountants selected by the authority and provide the results of the audit to the department and legislature; and

(12) Perform all functions necessary to effectuate the purposes of this part.

(d) The authority shall submit an annual report for the clean energy and energy efficiency revolving loan fund and environmental and economic development revolving loan fund to the legislature no later than twenty days prior to the convening of each regular session describing the projects funded and the projected energy, environmental, and economic development impacts."

SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$25,000,000 or so much thereof as may be necessary for fiscal year 2022-2023 to be deposited in the environmental and economic development revolving loan fund established pursuant to section 196-A, Hawaii Revised Statutes.

SECTION 7. There is appropriated out of the environmental and economic development revolving loan fund the sum of



1 \$25,000,000 or so much thereof as may be necessary for fiscal
2 year 2022-2023 to provide loans or other financial assistance to
3 eligible property owners and for other allowable purposes,
4 including implementation costs.

5 The sum appropriated shall be expended by the Hawaii green
6 infrastructure authority for the purpose of this Act.

7 SECTION 8. In codifying the new sections added by section
8 2 of this Act, the revisor of statutes shall substitute
9 appropriate section numbers for the letters used in designating
10 the new sections in this Act.

11 SECTION 9. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 10. This Act shall take effect on July 1, 2100.
14



Report Title:

Hawaii Green Infrastructure Authority; Counties; Property Assessed Financing; Cesspool Upgrade and Conversion; Property Resilience; Environmental and Economic Development Financing; Appropriation

Description:

Creates the environmental and economic development revolving loan fund under the administration of the Hawaii green infrastructure authority. Allows property owners to finance qualifying improvements through a non-ad valorem property assessment. Appropriates funds. Effective 7/1/2100. (HD2)

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

