

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-102
 Name of Fund: Compliance Resolution Fund - Cable Television
 Legal Authority: 440G, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-302-R

Intended Purpose:

To foster the development of responsive and reliable cable communications services for the people of Hawaii, by promoting the public interest in authorizations by the State regarding cable franchises; regulate basic cable rates and service to ensure compliance with applicable State and Federal law; expand and operate the statewide Institutional Network; and continue the availability of public, education and government cable access.

Source of Revenues:

Franchise Fees (HAR 16-132) paid by cable tv operators, which are collected from cable tv subscribers.

Current Program Activities/Allowable Expenses:

- Issues and enforces franchises for cable communications services.
- Promulgates and enforces rules and regulations governing the practices, procedures, quality and quantity of services including rates, and customer and technical operations of cable communications companies.
- Plans and encourages the development of new, improved and more effective utilization of cable communications services, equipment, and facilities including the State's Institutional Network (INET), and public, educational, and government (PEG) access resources and facilities, which will enhance communications services available to Hawaii's citizens.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Reduces FY11 ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$33,249)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	2,208,738	1,232,334	1,232,334	1,286,537	1,253,288	1,286,537	1,286,537
Beginning Cash Balance	4,600,445	2,482,717	1,528,157	1,781,874	1,656,654	1,914,621	2,237,678
Revenues	185,577	258,278	1,408,650	1,775,000	1,775,000	1,875,000	1,875,000
Expenditures	1,860,658	977,885	942,437	1,707,536	1,253,288	1,286,537	1,286,537
Transfers							
List each by JV# and date							
JS1306 09/11/08			(53,124)				
JS2476 11/13/08			(53,124)				
JS3930 02/11/09			(53,124)				
JS4599 04/17/09			(53,124)				
Net Total Transfers	(442,647)	(234,953)	(212,496)	(192,684)	(263,745)	(265,406)	(265,406)
Ending Cash Balance	2,482,717	1,528,157	1,781,874	1,656,654	1,914,621	2,237,678	2,560,735
Encumbrances	406,342	570,561	451,779				
Unencumbered Cash Balance	2,076,375	957,596	1,330,095	1,656,654	1,914,621	2,237,678	2,560,735

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-102
 Name of Fund: Funds held outside the State Treasury by Time Warner
 Legal Authority: Decision & Order Nos. 154 & 261, Section 5.1

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) not applicable
 Appropriation Acct. No. not applicable

Intended Purpose:

Franchise fees paid by Oceanic Time Warner Cable to the DCCA, which are collected from their subscribers.

Source of Revenues:

Franchise fees (HAR 16-132) paid by cable tv operators, which are collected from cable tv subscribers.

Current Program Activities/Allowable Expenses:

Expenses related to expansion and upgrade of the Institutional Network ("INET"); limitation on use imposed by Department's Decision & Order No. 261.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling		2,400,000					
Beginning Cash Balance	1,437,489	2,498,751	1,247,458	2,938,555	4,638,555	6,338,555	8,038,555
Revenues	1,061,262	1,148,707	1,691,097	1,700,000	1,700,000	1,700,000	1,700,000
Expenditures		2,400,000					
Transfers							
List each by JV# and date							
Net Total Transfers			0				
Ending Cash Balance	2,498,751	1,247,458	2,938,555	4,638,555	6,338,555	8,038,555	9,738,555
Encumbrances							
Unencumbered Cash Balance	2,498,751	1,247,458	2,938,555	4,638,555	6,338,555	8,038,555	9,738,555

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

REVISED: 12-11-09

Department: CCA
 Prog ID(s): CCA-103
 Name of Fund: CRF-PUC Spcl Fnd Allocation-Consumer Advocacy
 Legal Authority: 269-33, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-303-R, S-334-R, S-335-R,
S-07-332-R

Intended Purpose:

To fund the operations of the Division of Consumer Advocacy.

Source of Revenues:

Public utility fees paid to the public utilities commission pursuant to HRS §269-30, and placed in the public utilities commission special fund. Pursuant to HRS §269-33, on a quarterly basis, an amount is allocated in accordance with legislative appropriations to the DCA and deposited in the compliance resolution fund.

Current Program Activities/Allowable Expenses:

To represent, advance and protect the interests of consumers of regulated utility and transportation services. The division is a party to every proceeding before the Hawaii Public Utilities Commission. The division participates in, among other things, reviews of utility and transportation companies' requests to increase rates, service reliability investigations, energy utility integrated resource plans, and capital improvement projects for utilities. In addition, the division strives to promote effective competition and consumer protection through contested cases and rule making proceedings regarding telecommunications and electric power infrastructure development.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Restore eight permanent positions and special funds. (\$604,119)
- Reduce FY11 ceiling to reflect two furlough days each month based on filled positions as of 10-01-09. (-\$81,449)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011 2/	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling 1/	2,592,100	2,903,793	2,903,793	2,169,331	2,692,001	2,773,450	2,773,450
Beginning Cash Balance	3,768,911	4,126,615	4,849,729	3,789,782	2,138,512	1,637,204	1,129,729
Revenues 3/	2,863,810	3,089,399	2,794,579	2,254,331	2,692,001	2,773,450	2,773,450
Expenditures 4/	2,000,224	1,852,074	3,395,021	3,631,421	2,692,001	2,773,450	2,773,450
Transfers							
List each by JV# and date							
JS1306 09/11/08			(114,876)				
JS2476 11/13/08			(114,876)				
JS3930 02/11/09			(114,876)				
JS4599 04/17/09			(114,877)				
Net Total Transfers	(505,882)	(514,211)	(459,505)	(274,180)	(501,308)	(507,475)	(507,475)
Ending Cash Balance	4,126,615	4,849,729	3,789,782	2,138,512	1,637,204	1,129,729	622,254
Encumbrances	1,151,755	1,199,286	1,577,515				
Unencumbered Cash Balance	2,974,860	3,650,443	2,212,267	2,138,512	1,637,204	1,129,729	622,254

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

1/ Includes specific appropriations: 1) Act 68, SLH 2007 appropriates funds in FY07 that lapsed cob on June 30, 2008; and 2) Act 183, SLH 2007 in FY08 and FY09.

2/ Appropriation celling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

3/ Revenues for FY11 to FY13 are based on the assumption the departmental FY11 supplemental budget submitted to B&F for executive decision is approved.

4/ Expenditures for FY09 includes \$1,300,000 to the general fund pursuant to Act 79, SLH 2009.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-104
 Name of Fund: CRF- Financial Institutions
 Legal Authority: 412:2-109, 449-14, 489D-12.5 and 26-9(o), HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF): B
 Appropriation Acct. No. S-320-R

Intended Purpose:

To allow the Commissioner to appoint financial institutions examiners to examine the affairs of financial institutions, to appoint any necessary administrative support personnel, and to pay for any expenses incurred during examinations or necessary for the education and training of personnel and other expenses related to examinations and administrative costs as well as to support the entire program of the Division of Financial Institutions (DFI).

Source of Revenues:

Transfer of \$2 million from taxes paid by banks and other financial corporations (HRS 241-7); and application, examination, licensing, and other fees and fines paid by financial institutions, escrow depositories and money transmitters.

Current Program Activities/Allowable Expenses:

Ensures the safety and soundness of state-chartered financial institutions by fairly administering applicable statutes and rules through a program of supervision and regulation through chartering or licensure, examination, application review, off-site monitoring, and complaint handling and is also responsible for the licensing and supervision of escrow depositories and money transmitters.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Adds eight positions (six permanent and two temporary) and increases the ceiling to implement the licensing of mortgage loan originators. (\$869,202)
- Reduces the FY11 ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$171,609)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	2,443,258	2,578,281	2,813,840	2,964,039	3,661,632	3,833,241	3,833,241
Beginning Cash Balance	3,878,652	4,301,347	4,332,594	3,950,093	3,473,488	2,727,382	1,681,949
Revenues	2,798,163	2,620,852	2,599,918	2,655,550	3,597,400	3,489,200	3,412,000
Expenditures	1,869,586	2,075,918	2,461,174	2,755,295	3,661,632	3,833,241	3,833,241
Transfers							
List each by JV# and date							
JS1306 09/11/08			(130,311)				
JS2476 11/13/08			(130,311)				
JS3930 02/11/09			(130,311)				
JS4599 04/17/09			(130,312)				
Net Total Transfers	(505,882)	(513,687)	(521,245)	(376,860)	(681,874)	(701,392)	(701,392)
Ending Cash Balance	4,301,347	4,332,594	3,950,093	3,473,488	2,727,382	1,681,949	559,316
Encumbrances	38,011	62,718	22,106				
Unencumbered Cash Balance	4,263,336	4,269,876	3,927,987	3,473,488	2,727,382	1,681,949	559,316

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-104
 Name of Fund: CRF- Financial Institutions
 Legal Authority: Section 11 of Act 32, 1st SSLH 2009

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-326-R

Intended Purpose:

To provide initial start-up funds in FY 2010 for the Commissioner of Financial Institutions to implement a new licensing program for mortgage loan originators as established by Act 32, 1st Special Session Laws of Hawaii, 2009 ("Act 32").

Source of Revenues:

A special \$100 surcharge, which is due on December 31, 2009, on every mortgage broker and mortgage solicitor licensed under Chapter 454, HRS, as provided by Section 5 of Act 32.

Current Program Activities/Allowable Expenses:

Division of Financial Institutions ("DFI") currently supervises and regulates financial institutions, escrow depositories and money transmitters under Chapters 412, 449 and 489D, HRS, respectively. Act 32 establishes a new HRS chapter which requires DFI to begin licensing mortgage loan originators on August 1, 2010. Allowable expenditures under Act 32 are those necessary to carry out the purposes of the Act.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Not applicable

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010 #	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	0	0	0	159,400	0	0	0
Beginning Cash Balance	0	0	0	0	69,321	69,321	69,321
Revenues	0	0		250,000			
Expenditures	0	0		159,400			
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0	(21,279)	0	0	0
Ending Cash Balance	0	0	0	69,321	69,321	69,321	69,321
Encumbrances	0	0					
Unencumbered Cash Balance	0	0	0	69,321	69,321	69,321	69,321

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

- Balance at end of FY 2010 will be needed for ongoing implementation costs related to Act 32 in future FYs.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Compliance Resolution Fund - PVL
 Legal Authority: 26-9, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-305-R, S-325-R

Intended Purpose:

To fund the operations of the Professional and Vocational Licensing Division.

Source of Revenues:

Application, license, and renewal fees.

Current Program Activities/Allowable Expenses:

For 47 regulated areas - process applications for licensure, examine applicants, license, renew, update licensee files, provide information and guidance to the public, applicants and licensees regarding regulatory areas orally and in writing, assist with or adopt or amend rules, propose and react to legislative measures, liaison between 25 regulatory boards and DCCA, conduct public meetings, public hearings, produce minutes, facilitate decision-making by the boards in ordering disciplinary action against a licensee and granting, denying or otherwise conditioning license applications, network with outside entities for coordinated activities and keeping abreast of current trends, network with other State agencies for compliance (legislative auditor, ethics commission, procurement office).

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Increase ceiling to cover DAGS/ICSD services. (\$46,181)
- Reduce one permanent position and funds. (-\$70,903)
- Reduce ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$289,969)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011**	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling*	4,949,871	5,461,120	5,278,120	5,495,195	5,180,504	5,470,473	5,470,473
Beginning Cash Balance	6,625,215	7,040,978	6,618,380	6,123,833	5,111,428	4,276,203	3,100,264
Revenues	5,776,860	5,024,023	5,022,965	4,942,000	5,410,000	5,395,500	5,232,000
Expenditures	4,349,333	4,401,865	4,593,683	5,198,972	5,180,504	5,470,473	5,470,473
Transfers							
List each by JV# and date							
JS1306 09/11/08			(230,957)				
JS2476 11/13/08			(230,957)				
JS3930 02/11/09			(230,957)				
JS4599 04/17/09			(230,958)				
Net Total Transfers	(1,011,764)	(1,044,756)	(923,829)	(755,433)	(1,064,721)	(1,100,966)	(1,100,966)
Ending Cash Balance	7,040,978	6,618,380	6,123,833	5,111,428	4,276,203	3,100,264	1,760,825
Encumbrances	90,289	215,678	165,470				
Unencumbered Cash Balance	6,950,689	6,402,702	5,958,363	5,111,428	4,276,203	3,100,264	1,760,825

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Includes Act 279, SLH 2007 - specific appropriation for mixed martial arts in FY08 and FY09.

** Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Real Estate Recovery Fund
 Legal Authority: 467-16-19, 21-24, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-904-R

Intended Purpose:

As stated in §467-16(a), HRS, the Real Estate Recovery Trust Fund is intended to provide recovery to persons "aggrieved by an act, representation, transaction, or conduct of a duly licensed real estate broker, or real estate salesperson, upon the grounds of fraud, misrepresentation, or deceit". The statute establishes limits of \$25,000 per transaction and \$50,000 per licensee.

Source of Revenues:

Original real estate license fees.

Current Program Activities/Allowable Expenses:

See attached.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	495,470	498,381	498,381	502,310	502,310	502,310	502,310
Beginning Cash Balance	777,344	838,455	861,351	842,808	864,629	886,451	908,272
Revenues	112,960	96,260	62,350	90,523	90,523	90,523	90,523
Expenditures	51,849	73,364	80,893	68,702	68,702	68,702	68,702
Transfers							
List each by JV# and date							
Net Total Transfers							
Ending Cash Balance	838,455	861,351	842,808	864,629	886,451	908,272	930,093
Encumbrances		1,011					
Unencumbered Cash Balance	838,455	860,340	842,808	864,629	886,451	908,272	930,093

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

DCCA Non-General Fund Information - Real Estate Recovery Fund

Page 2

Current Program Activities/Allowable Expenses:

- Defend and administer claims through contracted attorneys who represent the Commission in actions for claims, including administering contracts and payment for services.
- Provide information, advice, and referral on all inquiries concerning the Real Estate Recovery Trust Fund and claims.
- Receive, process, and act on complaint notices, court filed motions, subpoenas, settlement claims, and court ordered claims including record keeping and monitoring the complaints through the courts.
- Arrange and assist in presentation of settlement claims, court ordered claims, and other issues to the Commission at its monthly scheduled meetings or emergency meetings.
- Administer budget, including development and approval of biennium budget, record keeping, any CPA audit, investment of funds, development of statistical and other periodic reports to licensees, Budget and Finance, Governor, and the Legislature.
- Study and develop case summaries for educational purposes.
- Initiate and develop collection program, continue to administer the State Tax Intercept Program with the Department of Taxation and DAGS.
- Research, develop, print, and distribute a simple plain language brochure for claimants.
- Provide funding for clerical position, who services the program.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Real Estate Education Fund
 Legal Authority: 467-11-19, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-905-R

Intended Purpose:
See attached.

Source of Revenues:

Original licensing and biennial renewals fees. Registration of schools, providers, courses and instructors. Interest due from the real estate recovery fund.

Current Program Activities/Allowable Expenses:
See attached.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Reduces FY11 ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$23,890)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	581,971	666,325	666,325	689,052	665,162	689,052	689,052
Beginning Cash Balance	1,188,554	1,642,460	1,289,036	1,554,757	998,723	1,065,809	727,688
Revenues	839,298	169,071	734,683	133,018	532,936	127,729	555,165
Expenditures	385,392	522,495	468,962	689,052	465,850	465,850	465,850
Transfers							
List each by JV# and date							
Net Total Transfers	0	0					
Ending Cash Balance	1,642,460	1,289,036	1,554,757	998,723	1,065,809	727,688	817,003
Encumbrances	0	68,544	65,027				
Unencumbered Cash Balance	1,642,460	1,220,492	1,489,730	998,723	1,065,809	727,688	817,003

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

DCCA Non-General Fund Information - Real Estate Education Fund
Page 2

Intended Purpose:

As stated in §467-19(b), HRS, the Real Estate Education Trust Fund is intended to "promote the advancement of education and research in the field of real estate for the benefit of the public and those licensed under the provisions of this chapter and the improvement and more efficient administration of the real estate industry."

Current Program Activities/Allowable Expenses:

Funding of Exempt Positions

- Provide funding for Real Estate Specialists and clerical positions, who administer the programs below.

Information, Advice and Referral

- Respond to inquiries from the public, consumers, real estate licensees, government officials, attorneys, educators, and others via telephone, office walk-ins, written inquiries and applications, and website, providing information, advice and referral.
- Administer real estate website.
- Administer and provide information as required under the Uniform Information Practices Act.
- Administer and maintain a public information self-help area in the office for walk-in traffic, which includes public information documents, educational materials, and reference materials for public review.
- Arrange and conduct Real Estate Specialists of the Day at neighbor island sites.

Educational and Informational Materials

- Research, develop, publish and distribute the quarterly real estate bulletin to all real estate licensees, government officials, State Libraries, and others in related areas.
- Printing and distribution of Chapter 467, HRS, as amended to all principal brokers and brokers-in-charge.
- School Files, a quarterly bulletin to real estate prelicense schools, prelicense and continuing education instructors and continuing education providers which provides current information on instruction, education, curriculum, testing, application fees and procedures.
- Various publications and informational sheets for consumers and real estate licensees.
- Research, develop and submit articles for the media.
- Research and report on alternative delivery of educational materials.
- Develop and maintain website on the internet for dissemination of information, publications, forms, agendas, etc. to licensees and the general public.
- Distribute new salesperson and broker start-up kits, consisting of information and educational materials.

Administer Education Review Committee, Laws and Rules Review Committee and Real Estate Commission

- Hold monthly meetings for the two standing committees and the Commission with some meetings at neighbor island sites.
- Administration of the committee meetings, including agenda, distribution materials, room and equipment arrangements, oral testifiers, minutes, committee reports, post-meeting responsibilities, etc.
- Conduct and administer periodic symposiums.
- Administration of Education Evaluation Task Force Subcommittee.

Research, develop or update curriculum and instructional materials for courses and administer courses

- Continuing education core course.
- Prelicensing real estate broker course.
- Prelicensing real estate salesperson course.

Research, develop and conduct seminars, workshops and meetings

- Instructor development workshops, course briefings and other meetings for real estate educators.
- Real estate seminars for real estate licensees.

Report on Non-General Fund Information
for Submittal to the 2010

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Condominium Education Trust Fund
 Legal Authority: 514A-40(c), 131, 132, 133, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-906-R

Intended Purpose:
See attached.

Source of Revenues:
Developers' final public report fees, association of unit owners registration and biennial re-registration fees.

Current Program Activities/Allowable Expenses:
See attached.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):
 • Reduces FY11 ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$27,577)

Financial Data							
	FY 2007*	FY 2008*	FY 2009*	FY 2010	FY 2011**	FY 2012	FY 2013
	(actual)	formally T-918 (ACT 129 (SLH 2009)	(estimated)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	0	0	0	640,981	613,404	640,981	640,981
Beginning Cash Balance	0	0	0	792,522	259,187	309,679	(75,098)
Revenues	0	0	0	107,646	538,003	102,734	532,109
Expenditures	0	0	0	640,981	487,511	487,511	487,511
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	0	0	0	259,187	309,679	(75,098)	(30,500)
Encumbrances		0	0				
Unencumbered Cash Balance	0	0	0	259,187	309,679	(75,098)	(30,500)

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Act 129, SLH 2009 merges the condominium management education fund (CMEF) into the condominium education trust fund (CETF) by repealing the CMEF, transferring all unexpended & unencumbered balances remaining in the CMEF to the credit of the CETF. As such, please refer to the Report on Non-General Fund for CMEF (appropriation symbol T918R) for data on FY07 to FY09.

** Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information

for Submittal to the 2010

Legislature

DCCA Non-General Fund Information - Condominium Education Trust Fund

Page 2

Intended Purpose:

514B-71, HRS, the Condominium Education Trust Fund is intended to finance or promote: "(1) Education and research in the field of condominium management, condominium registration, and real estate for the benefit of the public and those required to be registered under this chapter; (2) The improvement and more efficient administration of condominium associations; and (3) Expedient and inexpensive procedures for resolving condominium association disputes."

Current Program Activities/Allowable Expenses:

Funding of Exempt Positions

- Provide funding for Condominium Specialists and clerical positions, who service the programs below.

Information, Advice and Referral

- Respond to inquiries from the public, consumers, condominium owners, board of directors, condominium managing agents, real estate licensees, attorneys, educators, government officials and others via telephone, office walk-ins, seminars, speakerships written inquiries and applications and the website relating to §§514B and 514A.
- Administer condominium website.
- Administer condominium reference library program through State Libraries, other venues and in-house, providing publications and information to condominium owners and the public.
- Administer and provide information, as required under the Uniform Information Practices Act.
- Administer and maintain a public information self-help area in the office for walk-in traffic, which includes public information documents, educational materials and reference materials for public review.
- Arrange and conduct Condominium Specialists of the Day at various neighbor island sites.
- Study the feasibility of finding other means of providing access to condominium public information through computer discs or compact discs, State Libraries, webpage, etc.
- Coordinate educational sessions regarding §§514A and 514B and updates.

Educational Research and Informational Materials

- Research, develop, publish and distribute quarterly condominium bulletin to registered condominium associations and condominium managing agents, government officials, State Libraries and others in related areas.
- Research, develop, publish and distribute stand-alone chapters (brochures) for the Condominium Board of Directors Guide to registered condominium associations, condominium managing agents, government officials, State Libraries and others in related areas.
- Print and distribute information and educational materials including start-up kits to new condominium associations and new condominium managing agents.
- Research, develop and submit various articles for media publication.
- Develop and maintain website on the internet for dissemination of information, forms, publications, etc. for developers, associations, CMA's, condominium owners, and other interested parties.
- Print and distribute amended Chapters 514A and 514B to all registered condominium associations and condominium managing agents.
- Update, print and distribute updated Condominium Board of Directors series.
- Continue with the recodification of the condominium law educational efforts.

Report on Non-General Fund Information

for Submittal to the 2010

Legislature

DCCA Non-General Fund Information - Condominium Education Trust Fund

Page 3

Rulemaking

- Research, develop and initiate Chapter 107, HAR rulemaking for Chapters 514A and 514B, HRS, including public workshops with those affected.
- Research, present, and receive recommendations for amendments to Chapter 107, HAR, and discuss and receive comments at the monthly Condominium Review Committee meetings with the condominium community.
- Research, study, and make recommendations concerning fees for Chapter 53, HAR, and assist the Professional and Vocational Licensing Division in the rulemaking process.

Mediation of Governance and Management Problems

- Administer contracts and provide funding for alternative dispute resolution through mediation, through the procured mediation providers for all islands.
- Secure mediation information and develop report to the Legislature and Governor.
- Continue to seek other mediation service vendors.
- Coordinate and administer joint complaint/mediation program with the Regulated Industries Complaints Office including funding of mediations.
- Research, development, publication, and distribution of brochure on dispute resolution alternatives.
- Where requested by the Office of Administrative Hearing, support the Condominium Dispute Resolution Program which is to be sunsetted June 30, 2009.

Arbitration of Condominium Problems

- Administer program through American Arbitration Association and other arbitration organizations.

Condominium Project Registration and Public Reports

- Administer registration of new condominium projects, review of documents, owner-occupants reservation procedures, and public reports, including records management.
- Administer consultant contracts and the review of project documents and public reports.
- Administer public review of condominium project documents and public reports, including requests for copies.
- Conduct periodic meetings and workshops with the condominium consultants, developers and attorneys.

Administer Condominium Review Committee

- Administer and conduct monthly meetings of the Condominium Review Committee, standing committee of the Commission, including meetings at various neighbor island sites.
- Administration includes agenda, distribution of materials, room and equipment arrangements, receipt of testimony, minutes, Committee Reports, post-meeting responsibilities.
- Conduct and administer periodic educational symposiums.

Administer Seminars, Workshops and Meetings

- Research, develop, procure, contract and conduct condominium seminars, workshops and special meetings with those in the condominium community.
- Administer seminar subsidy program, including contract administration.

Report on Non-General Fund Information

for Submittal to the 2010

Legislature

DCCA Non-General Fund Information - Condominium Education Trust Fund

Page 4

Interactive Educational and Research Participation

- Provide Educational speakers to organizations, government entities and others.
- Participate, exchange and network with local, state, national and international organizations and other governmental entities.
- Provide briefings to Legislators, testify on legislative bills and participate in other legislative matters.
- Research and report to the Legislature annually on condominium programs, budget and mediation programs.
- Research, coordinate, and implement Recodification Plan for Chapter 514A, HRS.

Administration of Condominium Association, Condominium Managing Agent Registrations, and Condominium Hotel Operators

- Administer registration and biennial re-registration of condominium associations, condominium managing agents and condominium hotel operators, including applications, review/approval process and records management.
- Conduct periodic workshops and meetings with registrants.

Administration of Budget and Biennial Plans

- Development and approval of the Condominium Education Trust Fund budget.
- Administration of budget, investment of funds and any CPA audits.
- Research, development and submission of information and reports required by the Department, Budget and Finance, Governor and the Legislature.
- Research, development, approval and administration of the Biennial Education and Research Plan.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Contractors' Recovery Fund
 Legal Authority: 444-26, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-908-R

Intended Purpose:

Provide fund from which a person injured by an act, representation, transaction, or conduct of a duly licensed contractor may recover by an order of the court, an amount of not more than \$12,500 per contract and \$25,000 per contractor.

Source of Revenues:

All new contracting entity licensees (firms/sole proprietors) shall pay \$150 into the fund upon initial licensure and \$10 upon each license renewal. At any time the fund balance falls below \$250,000 the Contractors License Board may assess every contractor a fee not to exceed \$500 annually for deposit into the fund.

Current Program Activities/Allowable Expenses:

Allowable expenses include payments to eligible consumers who have obtained an arbitrated award or court judgment against a contractor, and payment of attorney - consultant fees.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Beginning Cash Balance	571,051	746,279	770,096	827,468	727,468	727,468	627,468
Revenues	261,605	115,125	177,659	100,000	200,000	100,000	200,000
Expenditures	86,377	91,308	120,287	200,000	200,000	200,000	200,000
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	746,279	770,096	827,468	727,468	727,468	627,468	627,468
Encumbrances							
Unencumbered Cash Balance	746,279	770,096	827,468	727,468	727,468	627,468	627,468

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Contractors' Education Fund
 Legal Authority: 444-29, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-909-R

Intended Purpose:

To be used for consumers, licensees, Contractors License Board members and staff; to be used for publications, media exposure, participation in national association meetings, classes and other educational purpose the Board deems necessary.

Source of Revenues:

The interest from the investments for the contractors' recovery fund shall be deposited to the credit of the contractors' education fund. In addition, all new contracting entity licensees (firms/sole proprietors) shall pay \$10 into the fund upon initial licensure and \$5 upon each license renewal.

Current Program Activities/Allowable Expenses:

Funded activities include: National Association dues; attendance by Executive Officer and Board members at national association meetings; registration fees for attendance at national meetings, travel expense for neighbor island Board members to attend special Board meetings on Oahu; publication of educational materials; and overtime pay for clerical staff as needed.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	16,968	16,968	16,968	16,968	16,968	16,968	16,968
Beginning Cash Balance	202,524	261,128	311,264	363,151	396,183	459,215	492,247
Revenues	70,703	56,150	59,211	50,000	80,000	50,000	80,000
Expenditures	12,099	6,014	7,324	16,968	16,968	16,968	16,968
Transfers							
List each by JV# and date							
Net Total Transfers	0	0					
Ending Cash Balance	261,128	311,264	363,151	396,183	459,215	492,247	555,279
Encumbrances	0	0					
Unencumbered Cash Balance	261,128	311,264	363,151	396,183	459,215	492,247	555,279

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Travel Agency Recovery Fund
 Legal Authority: Chapter 468K, HRS; Act 285, SLH 1991, repealed Act 468K (see below *)

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-910-R

Intended Purpose:
See attached.

Source of Revenues:
When the travel agency recovery fund program was established, each licensee made a mandatory contribution which was non-refundable: \$50 for each travel agency licensee, and \$25 for each travel agency sales representative. If at any time the money deposited in the travel agency recovery fund was insufficient to satisfy any duly authorized claim or portion thereof, the licensees could be charged an additional fee to return the travel agency recovery fund to an appropriate amount needed to satisfy any and all claims.

Current Program Activities/Allowable Expenses:
See attached.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007 (actual)	FY 2008 (actual)	FY 2009 (actual)	FY 2010 (estimated)	FY 2011 (estimated)	FY 2012 (estimated)	FY 2013 (estimated)
Appropriation Ceiling	0	0	0	0	0	0	0
Beginning Cash Balance	22	22	22	22	22	22	22
Revenues							
Expenditures							
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	22	22	22	22	22	22	22
Encumbrances							
Unencumbered Cash Balance	22	22	22	22	22	22	22

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

*Act 285, SLH 1991, repealed Chapter 468K; however, moneys remaining in the recovery fund were held for disbursement to claimants until the fund is exhausted.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

DCCA Non-General Fund Information - Travel Agency Recovery Fund
Page 2

Intended Purpose:

§468K-3 Travel Agency Recovery Fund; use of funds; fees. There shall be established and maintained a Travel Agency Recovery Fund from which any person aggrieved by an act, omission of material fact, representation, transaction, or conduct of a licensee, that is in violation of this chapter or its adopted rules, or which constitutes an unfair or deceptive act or practice in violation of section 480-2, may recover, by order of a court of competent jurisdiction within the State, an amount of not more than \$8,000 for damages sustained as a result of the act, representation, transaction, or conduct of each licensee. Recovery from the fund shall be limited to the actual damages suffered by the claimant, including court costs and fees as set by law, and reasonable attorneys' fees as determined by the court.

Current Program Activities/Allowable Expenses:

Act 285, SLH 1991, limited access to the fund to claims arising from travel services purchased prior to October 1, 1991. All funds remaining in the travel agency recovery fund after the resolution of all civil proceedings commenced prior to October 1, 1993, if any, shall become part of the compliance resolution fund for use in travel agency-related cases. As there have been no disbursements from the fund for some time, we are awaiting official notification from our attorney for the Travel Agency Recovery fund that there are no active cases that may result in payment from the recovery fund. With such confirmation we will proceed to implement other provisions of the Act.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Travel Agency Education Fund
 Legal Authority: Chapter 468K, HRS; Act 285, SLH 1991 released Act 268K, Act 41, SLH 1994

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-911-R

Intended Purpose:

The department shall use the amounts available in the Education Fund to alert all current licensees under chapter 468K, Hawaii Revised Statutes, to the requirements of Act 396, SLH 1991 and to inform the public about the rights and remedies provided in Act 285, SLH 1991. The fund may also be used to pay for any claim or expense of the Recovery Fund in the event the Recovery Fund becomes exhausted. Any amount that remains after payment of educational expenses or for recovery fund claims and expenses shall become part of the Compliance Resolution Fund for use in travel agency related cases.

Source of Revenues:

The Travel Agency Education Fund will generate its funds from any funds remaining in the Travel Agency Recovery Fund after all claims have been settled.

Current Program Activities/Allowable Expenses:

Funds remaining in the Travel Agency Education Fund are being held in case disbursements are needed for travel agency-related case claimants against the Travel Agency Recovery Fund. As there have been no disbursements from the fund for some time, we are awaiting official notification from our attorney for the fund that there are no active cases that may result in payment from the fund. With such confirmation we will proceed to implement other provision of the Act.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	7,000	7,000	7,000	7,000	7,000	7,000	7,000
Beginning Cash Balance	21,449	21,449	21,449	21,449	21,449	21,449	21,449
Revenues							
Expenditures							
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	21,449	21,449	21,449	21,449	21,449	21,449	21,449
Encumbrances							
Unencumbered Cash Balance	21,449	21,449	21,449	21,449	21,449	21,449	21,449

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

** Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Condominium Management Education Fund
 Legal Authority: 514A-40(c), 131, 132, 133, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-918-R

Intended Purpose:
See attached.

Source of Revenues:
Developers' final public report fees, association of apartment owners registration and biennial re-registration fees.

Current Program Activities/Allowable Expenses:
See attached.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	486,438	556,438	644,263	0	0	0	0
Beginning Cash Balance	807,166	1,014,825	724,171	15,808	0	0	0
Revenues	552,768	130,272	532,807				
Expenditures	345,109	420,926	448,648	15,808			
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	1,014,825	724,171	808,330	0	0	0	0
Encumbrances		18,819	15,808				
Unencumbered Cash Balance	1,014,825	705,352	792,522	0	0	0	0

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information

for Submittal to the 2010

DCCA Non-General Fund Information - Condominium Management Education Fund Legislature

Page 2

ACT 129 , SLH 2009 – Merges the condominium management education fund (CMEF) into the condominium education trust fund (CETF) by repealing the CMEF, transferring all unexpended & unencumbered balances remaining in the CMEF to the credit of the CETF.

Intended Purpose:

As stated in §§514A-131 514B-71, HRS, the Condominium Management Education Trust Fund is intended to finance or promote: "(1) Education and research in the field of condominium management, condominium registration, and real estate for the benefit of the public and those required to be registered under this chapter; (2) The improvement and more efficient administration of condominium associations; and (3) Expeditious and inexpensive procedures for resolving condominium association disputes."

Current Program Activities/Allowable Expenses:

Funding of Exempt Positions

- Provide funding for Condominium Specialists and clerical positions, who service the programs below.

Information, Advice and Referral

- Respond to inquiries from the public, consumers, condominium owners, board of directors, condominium managing agents, real estate licensees, attorneys, educators, government officials and others via telephone, office walk-ins, seminars, speakerships written inquiries and applications and the website relating to §§514B and 514A.
- Administer condominium website.
- Administer condominium reference library program through State Libraries, other venues and in-house, providing publications and information to condominium owners and the public.
- Administer and provide information, as required under the Uniform Information Practices Act.
- Administer and maintain a public information self-help area in the office for walk-in traffic, which includes public information documents, educational materials and reference materials for public review.
- Arrange and conduct Condominium Specialists of the Day at various neighbor island sites.
- Study the feasibility of finding other means of providing access to condominium public information through computer discs or compact discs, State Libraries, webpage, etc.
- Coordinate educational sessions regarding §§514A and 514B and updates.

Educational Research and Informational Materials

- Research, develop, publish and distribute quarterly condominium bulletin to registered condominium associations and condominium managing agents, government officials, State Libraries and others in related areas.
- Research, develop, publish and distribute stand-alone chapters (brochures) for the Condominium Board of Directors Guide to registered condominium associations, condominium managing agents, government officials, State Libraries and others in related areas.
- Print and distribute information and educational materials including start-up kits to new condominium associations and new condominium managing agents.
- Research, develop and submit various articles for media publication.
- Develop and maintain website on the internet for dissemination of information, forms, publications, etc. for developers, associations,
- Print and distribute amended Chapters 514A and 514B to all registered condominium associations and condominium managing agents.
- Update, print and distribute updated Condominium Board of Directors series.
- Continue with the recodification of the condominium law educational efforts.

Report on Non-General Fund Information
for Submittal to the 2010
Legislature

DCCA Non-General Fund Information - Condominium Management Education Fund
Page 3

Rulemaking

- Research, develop and initiate Chapter 107, HAR rulemaking for Chapters 514A and 514B, HRS, including public workshops with those affected.
- Research, present, and receive recommendations for amendments to Chapter 107, HAR, and discuss and receive comments at the monthly Condominium Review Committee meetings with the condominium community.
- Research, study, and make recommendations concerning fees for Chapter 53, HAR, and assist the Professional and Vocational Licensing Division in the rulemaking process.

Mediation of Governance and Management Problems

- Administer contracts and provide funding for alternative dispute resolution through mediation, through the procured mediation providers for all islands.
- Secure mediation information and develop report to the Legislature and Governor.
- Continue to seek other mediation service vendors.
- Coordinate and administer joint complaint/mediation program with the Regulated Industries Complaints Office including funding of mediations.
- Research, development, publication, and distribution of brochure on dispute resolution alternatives.
- Where requested by the Office of Administrative Hearing, support the Condominium Dispute Resolution Program which is to be sunsetted June 30, 2009.

Arbitration of Condominium Problems

- Administer program through American Arbitration Association and other arbitration organizations.

Condominium Project Registration and Public Reports

- Administer registration of new condominium projects, review of documents, owner-occupants reservation procedures, and public reports, including records management.
- Administer consultant contracts and the review of project documents and public reports.
- Administer public review of condominium project documents and public reports, including requests for copies.
- Conduct periodic meetings and workshops with the condominium consultants, developers and attorneys.

Administer Condominium Review Committee

- Administer and conduct monthly meetings of the Condominium Review Committee, standing committee of the Commission, including meetings at various neighbor island sites.
- Administration includes agenda, distribution of materials, room and equipment arrangements, receipt of testimony, minutes, Committee Reports, post-meeting responsibilities.
- Conduct and administer periodic educational symposiums.

Administer Seminars, Workshops and Meetings

- Research, develop, procure, contract and conduct condominium seminars, workshops and special meetings with those in the condominium community.
- Administer seminar subsidy program, including contract administration.

Report on Non-General Fund Information
for Submittal to the 2010
Legislature

DCCA Non-General Fund Information - Condominium Management Education Fund
Page 4

Interactive Educational and Research Participation

- Provide Educational speakers to organizations, government entities and others.
- Participate, exchange and network with local, state, national and international organizations and other governmental entities.
- Provide briefings to Legislators, testify on legislative bills and participate in other legislative matters.
- Research and report to the Legislature annually on condominium programs, budget and mediation programs.
- Research, coordinate, and implement Recodification Plan for Chapter 514A, HRS.

Administration of Condominium Association, Condominium Managing Agent Registrations, and Condominium Hotel Operators

- Administer registration and biennial re-registration of condominium associations, condominium managing agents and condominium hotel operators, including applications, review/approval process and records management.
- Conduct periodic workshops and meetings with registrants.

Administration of Budget and Biennial Plans

- Development and approval of Condominium Management Education Trust Fund and Condominium Education Trust Fund budget.
- Administration of budget, investment of funds and any CPA audits.
- Research, development and submission of information and reports required by the Department of Budget and Finance, Governor and the Legislature.
- Research, development, approval and administration of the Biennial Education and Research Plan.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-105
 Name of Fund: Real Estate Appraisers
 Legal Authority: Chapter 466K, HRS; Title 16, Chapter 114, HAR

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-919-R

Intended Purpose:
See attached.

Source of Revenues:
The Federal Financial Institutions Examination Council ("FFIEC") mandates that each state collect a \$25 annual fee from each licensed and certified real estate appraiser to maintain the federal national registry. Appraisers must be on the national registry to perform appraisals in connection with federally related real estate transactions.

Current Program Activities/Allowable Expenses:
See attached.

Purpose of Proposed Ceiling Increase (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	5,000	5,000	5,000	25,000	5,000	25,000	5,000
Beginning Cash Balance	6,806	5,205	5,200	5,525	5,525	5,525	5,525
Revenues	1,900	25,620	1,300	25,000	2,000	25,000	2,000
Expenditures	3,501	25,625	975	25,000	2,000	25,000	2,000
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	5,205	5,200	5,525	5,525	5,525	5,525	5,525
Encumbrances							
Unencumbered Cash Balance	5,205	5,200	5,525	5,525	5,525	5,525	5,525

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

DCCA Non-General Fund Information - Real Estate Appraisers
Page 2

Intended Purpose:

The Legislature finds that the regulation of real estate appraisers is reasonably necessary to protect consumers. The Legislature further finds that 12 United States Code §3301 et seq. requires that real estate appraisals utilized in connection with federally related transactions be performed by individuals who are licensed or certified appraisers. The purposes of this chapter (466K, HRS) are to implement the requirements of 12 United States Code Sec §3301 et seq. and to require that all real estate appraisals be performed by licensed or certified appraisers. The requirements of this chapter do not apply to any real estate appraiser employed by any county for purposes of valuing real property for ad valorem taxation.

Current Program Activities/Allowable Expenses:

In addition to any other powers and duties authorized by law, the director shall have the following powers and duties:

1. To grant permission to practice as a certified real estate appraiser in this State pursuant to this chapter and 12 United States Code §3301 et seq. and the rules and regulations adopted pursuant thereto;
2. To adopt, amend, or repeal rules as the director finds necessary to effectuate fully this chapter and 12 United States Code §3301 et seq.;
3. To enforce this chapter and 12 United States Code §3301 et seq. and rules and regulations adopted pursuant thereto;
4. To discipline a certified real estate appraiser for any cause prescribed by this chapter or 12 United States Code §3301 et seq. for any violation of the rules and regulations and refuse to grant a person permission to practice as a certified real estate appraiser for any cause that would be grounds for disciplining a certified real estate appraiser;
5. To act as the designated representative of this State to implement 12 United States Code §3301 et seq.; and
6. To appoint an advisory committee to assist with the implementation of this chapter and 12 United States Code §3301 et seq. and the rules and regulations adopted pursuant thereto.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Driver Education Fund
 Legal Authority: 431:10C-115, HRS; 431:10G-107, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-309-R

Intended Purpose:

Provide drivers training and education.

Source of Revenues:

An annual fee paid by insurers and self-insurers for each vehicle, motorcycle and motor scooter insured.

Current Program Activities/Allowable Expenses:

All collected revenues disbursed to the Judiciary, Department of Education (DOE), and Department of Transportation (DOT). Judiciary's funds are expended for the operation of the drivers' education program. DOE's funds support drivers' education for high school students. The DOT uses its funds for the operation of a drivers' education program for operators of motorcycles, motor scooters or similar vehicles.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	2,758,340	2,560,000	2,560,000	2,560,000	2,560,000	2,560,000	2,560,000
Beginning Cash Balance	2,528	150,243	587,689	892,398	1,342,398	1,792,398	2,242,398
Revenues	2,704,585	2,834,870	2,864,709	3,010,000	3,010,000	3,010,000	3,010,000
Expenditures	2,556,870	2,397,424	2,560,000	2,560,000	2,560,000	2,560,000	2,560,000
Transfers							
List each by JV# and date							
Net Total Transfers	0	0					
Ending Cash Balance	150,243	587,689	892,398	1,342,398	1,792,398	2,242,398	2,692,398
Encumbrances							
Unencumbered Cash Balance	150,243	587,689	892,398	1,342,398	1,792,398	2,242,398	2,692,398

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

REVISED: 12-11-09

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Compliance Resolution Fund - Insurance Regulation Fund
 Legal Authority: 431:2-215 & 431:2-216, HRS; Act 1, 2005 Special Session

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF): B
 Appropriation Acct. No. S-313-R,S-329-R, S-336-R

Intended Purpose:

The fund permits the Insurance Division to become self-sufficient and eliminates reliance on general funds and revolving funds administered by the Division.

Source of Revenues:

Fees, fines, penalties, assessments, and reimbursements collected under Title 24, Hawaii Revised Statutes.

Current Program Activities/Allowable Expenses:

Used to defray any administrative cost, including personnel cost, associated with all of the programs of the Insurance Division, and incurred by supporting offices and divisions.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Reduces FY11 ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$423,124)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010 2/	FY 2011 3/	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling 1/	8,206,769	7,687,588	8,849,588	8,882,578	8,459,454	8,882,578	8,882,578
Beginning Cash Balance	4,639,153	5,089,669	3,360,944	4,241,208	3,221,901	1,527,416	(715,162)
Revenues	7,532,652	5,517,385	9,591,489	9,530,300	8,380,300	8,305,300	8,305,000
Expenditures	5,754,195	5,824,412	7,217,675	9,404,412	8,459,454	8,882,578	8,882,578
Transfers							
List each by JV# and date							
JS3930 02/11/09			(746,775)				
JS4599 04/17/09			(746,775)				
JM1864 10/29/09 4/			3,800,000				
JM6967 06/30/09 5/			(3,800,000)				
Net Total Transfers	(1,327,941)	(1,421,698)	(1,493,550)	(1,145,195)	(1,615,331)	(1,665,300)	(1,665,300)
Ending Cash Balance	5,089,669	3,360,944	4,241,208	3,221,901	1,527,416	(715,162)	(2,958,040)
Encumbrances	1,837,949	1,062,387	1,075,874				
Unencumbered Cash Balance	3,251,720	2,298,557	3,165,334	3,221,901	1,527,416	(715,162)	(2,958,040)

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

1/ Includes specific appropriation (Act 227, SLH 2007) in FY 08 and FY 09.

2/ Revenue estimate for FY10 includes \$3,500,000 to reimburse the CRF. (Act 64, SLH 2009)

3/ Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

4/ General fund loan.

5/ Repayment of general fund loan.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Loss Mitigation Grant Fund
 Legal Authority: 431:22-102, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-314-R

Intended Purpose:

A grant program to assist residents with installing wind resistive devices to protect their property against wind damage. Also provides grants for safe rooms for residents who may not be able to afford reinforcement of their entire home; protection against natural disasters.

Source of Revenues:

Appropriations out of the Hawaii Hurricane Relief Fund.

Current Program Activities/Allowable Expenses:

As allowed by §431:22-102, the funds are used to make loss mitigation grants; and to pay for any administrative and operational cost, including personnel cost and marketing costs, associated with a loss mitigation grant program. The program is not active.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	2,000,000	2,000,000	0	0	0	0	0
Beginning Cash Balance	3,978,439	3,680,098	3,298,967	3,360,377	3,390,377	3,390,377	3,390,377
Revenues		164,478	61,410	30,000			
Expenditures	298,341	545,609					
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	3,680,098	3,298,967	3,360,377	3,390,377	3,390,377	3,390,377	3,390,377
Encumbrances	93,417	63,398	63,398				
Unencumbered Cash Balance	3,586,681	3,235,569	3,296,979	3,390,377	3,390,377	3,390,377	3,390,377

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Captive Insurance Administrative Fund
 Legal Authority: 431:19-101.8, HRS, Act 261, 1997 SLH; Act 131, SLH 1999; Act 1, 2005 Special Session; Act 213, SLH 2007; Act 158 SLH 2008

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B

Appropriation Acct. No. S-317-R

Intended Purpose:

The fund shall be expended by the Insurance Commissioner to carry out his/her duties and obligations under article 19 of chapter 431, HRS.

Source of Revenues:

All moneys collected from captive licensees pursuant to article 19, chapter 431, including premium taxes, application and annual licensing fees, examination fees, and other reimbursements.

Current Program Activities/Allowable Expenses:

Licensing, monitoring, regulation, development of captive insurance companies, and promotion of Hawaii as a captive insurance domicile pursuant to article 19, chapter 431, including defrayal of any administrative costs, employment or retention of hearings officers, attorneys, investigators, accountants, examiners, and other necessary professional, technical, and support personnel.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Reduces FY11 ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$53,309)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	1,751,970	2,016,120	2,371,120	2,434,480	2,381,171	2,434,480	2,434,480
Beginning Cash Balance	2,557,472	3,617,856	4,415,852	4,851,139	4,267,178	3,711,007	3,101,527
Revenues	2,321,957	2,506,743	1,795,404	1,825,000	1,825,000	1,825,000	1,825,000
Expenditures	1,261,573	1,708,747	1,360,117	2,408,961	2,381,171	2,434,480	2,434,480
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0	0	0	0	0
Ending Cash Balance	3,617,856	4,415,852	4,851,139	4,267,178	3,711,007	3,101,527	2,492,047
Encumbrances	366,281	324,210	51,431				
Unencumbered Cash Balance	3,251,575	4,091,642	4,799,708	4,267,178	3,711,007	3,101,527	2,492,047

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Patient's Compensation Fund
 Legal Authority: Act 232/84; Act 219, 1976

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-912

Intended Purpose:

In 1976 this fund was established to provide doctors medical malpractice insurance for coverage in excess of their underlying policy from a commercial insurer.

Source of Revenues:

None. However, there are some paid claims with settlement agreements which required the claimant to return any unused cash after all of the payments required by the settlement agreement are satisfied.

Current Program Activities/Allowable Expenses:

The claims against the Fund exceed the available fund assets and as a result, the authority for this Fund, section 671, was repealed by Act 232, SLH 1984. The Act required the unpaid claims to be carried forward from year to year for possible payment as the Fund acquires additional assets for prorated distribution.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling							
Beginning Cash Balance	3,839,084	4,005,290	4,196,175	4,273,375	4,373,375	0	0
Revenues	166,206	190,885	77,200	100,000	50,000	0	0
Expenditures				0	4,423,375	0	0
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	4,005,290	4,196,175	4,273,375	4,373,375	0	0	0
Encumbrances							
Unencumbered Cash Balance	4,005,290	4,196,175	4,273,375	4,373,375	0	0	0

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Premium Taxes Paid Pending Appeal
 Legal Authority: 431:7-202, 431:7-209, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T916

Intended Purpose:

Premium taxes paid in protest due to denial of high tech tax credits.

Source of Revenues:

Premium taxes.

Current Program Activities/Allowable Expenses:

Pending result of appeal.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling							
Beginning Cash Balance	0	0	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000
Revenues		1,400,000					
Expenditures							
Transfers							
List each by JV# and date							
Net Total Transfers							
Ending Cash Balance	0	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000
Encumbrances							
Unencumbered Cash Balance	0	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Commissioner's Education and Training Fund
 Legal Authority: 431:2-214, HRS; Act 348, 1987 SLH

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-917-R

Intended Purpose:

This fund is used for the education and training of Insurance Division staff and personnel, and to pay for the cost of consumer education and information.

Source of Revenues:

Fees for rate and form filings.

Current Program Activities/Allowable Expenses:

Reimburse staff and personnel for various education and training expenses, including insurance and computer courses, conferences, and seminars. Publish annually, an insurer's automobile insurance premium comparison and the Report of the Insurance Commissioner for consumer information. Presentations of insurance information to Hawaii consumers. Purchase of books and periodicals for staff education and training.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	200,000	200,000	200,000	200,000	200,000	200,000	200,000
Beginning Cash Balance	267,288	329,575	425,447	528,554	638,554	698,554	758,554
Revenues	162,138	178,672	162,464	160,000	160,000	160,000	160,000
Expenditures	99,851	82,800	59,357	50,000	100,000	100,000	100,000
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	329,575	425,447	528,554	638,554	698,554	758,554	818,554
Encumbrances		408	4,965				
Unencumbered Cash Balance	329,575	425,039	523,589	638,554	698,554	758,554	818,554

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Service Contract Provider's Fin Sec Dep
 Legal Authority: 481X-4, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-927-R

Intended Purpose:

The fund will hold financial security deposits placed in trust with the Commissioner by service contract providers for all service contracts issued and in force in this State.

Source of Revenues:

Financial security deposits from service contract providers placed in trust with the Insurance Commissioner.

Current Program Activities/Allowable Expenses:

Current activities include the issuance and renewal of service contract providers registration.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007 (actual)	FY 2008 (actual)	FY 2009 (actual)	FY 2010 (estimated)	FY 2011 (estimated)	FY 2012 (estimated)	FY 2013 (estimated)
Appropriation Ceiling							
Beginning Cash Balance	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Revenues							
Expenditures							
Transfers							
List each by JV# and date							
Net Total Transfers							
Ending Cash Balance	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Encumbrances							
Unencumbered Cash Balance	25,000	25,000	25,000	25,000	25,000	25,000	25,000

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-106
 Name of Fund: Captive Insurance Companies LOC Escrow
 Legal Authority: 431:19-104(b), HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-931-R

Intended Purpose:

The fund shall be used to maintain cash drawn from Letters of Credit (LOC) issued on behalf of captive insurance licensees and in favor of the Insurance Commissioner.

Source of Revenues:

Cash draw from Letter of Credits (LOC) issued on behalf of captive licensees.

Current Program Activities/Allowable Expenses:

The Commissioner may draw upon the LOC when the captive licensee is not in compliance with the provisions of article 19 of chapter 431, including but not limited to its minimum capital and surplus requirements, applicable investment provisions, or otherwise in adverse financial condition, or operating in a manner that is detrimental or its condition unsound with respect to the public or to its policyholders. The cash drawn from the LOC is used to cover liabilities and other obligations of the captive licensee, including policy holder claims, operating expenses, taxes, fees, fines, and other expenses.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling							
Beginning Cash Balance	452	467	485	495	495	495	495
Revenues	15	18	10				
Expenditures							
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	467	485	495	495	495	495	495
Encumbrances							
Unencumbered Cash Balance	467	485	495	495	495	495	495

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: DCCA-Insurance Division
 Prog ID(s): CCA-106
 Name of Fund: Hawaii Hurricane Relief Fund
 Legal Authority: Chapter 431P HRS

Contact Name: Dwight Hamamura
 Phone: 808-586-7383
 Fund type (MOF) T
 Appropriation Acct. No. T999R

Intended Purpose:

Provide hurricane insurance in the event that such coverage is unavailable in the private insurance market.

Source of Revenues:

Investment income.

Current Program Activities/Allowable Expenses:

Program activities - investments. Allowable expenses - financial services and management expenses.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data*							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling							
Beginning Fund Balance	180,182,678	181,676,672	184,525,900	187,977,258	190,477,258	192,977,258	195,477,258
Revenues	9,723,502	10,817,159	9,934,242	9,000,000	9,000,000	9,000,000	9,000,000
Expenditures	203,050	220,060	189,683	200,000	200,000	200,000	200,000
Transfers							
List each by JV# and date							
Accrd Interest Not Yet Reported	(8,026,458)	(7,747,871)	(6,293,202)	(6,300,000)	(6,300,000)	(6,300,000)	(6,300,000)
Net Total Transfers	(8,026,458)	(7,747,871)	(6,293,202)	(6,300,000)	(6,300,000)	(6,300,000)	(6,300,000)
Ending Fund Balance	181,676,672	184,525,900	187,977,258	190,477,258	192,977,258	195,477,258	197,977,258
Encumbrances							
Unencumbered Cash Balance	181,676,672	184,525,900	187,977,258	190,477,258	192,977,258	195,477,258	197,977,258

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Prepared on the accrual basis of accounting as required by the Governmental Accounting Standards Board for Enterprise Funds.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

REVISED: 12-11-09

Department: CCA
 Prog ID(s): CCA-110
 Name of Fund: CRF-Office Of Consumer Protection
 Legal Authority 487-2, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-323-R

Intended Purpose:

To protect Hawaii consumers utilizing investigative resources, civil enforcement actions and consumer education.

Source of Revenues:

Penalties or fines assessed as a result of actions brought by OCP, and penalties, fines, or reimbursement of costs or attorneys' fees assessed as a result of actions brought for violations of chapters 480 and 487 HRS.

Current Program Activities/Allowable Expenses:

OCP receives and investigates consumer complaints, provides consumer education to the public through oral presentations and the dissemination of consumer literature, and enforces consumer protection laws through legal process coordinated by its attorneys.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Increases FY11 ceiling to delete turnover savings. (\$33,691)
- Reduces FY11 ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$112,462)

Financial Data							
	FY 2007	FY 2008	FY 2009*	FY 2010	FY 2011**	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	1,487,471	1,600,284	1,600,284	1,573,840	1,495,069	1,607,531	1,607,531
Beginning Cash Balance	506,851	556,549	1,824,630	1,202,752	404,114	421,114	438,114
Revenues	131,483	1,706,590	1,417,494	630,112	317,000	317,000	317,000
Expenditures	1,244,899	1,378,750	2,312,228	1,467,450	1,495,069	1,607,531	1,607,531
Transfers							
List each by JV# and date							
JS1306 09/11/08			68,214				
JS2476 11/13/08			68,214				
JS3930 02/11/09			68,214				
JS4599 04/17/09			68,214				
Net Total Transfers	1,163,114	940,241	272,856	38,700	1,195,069	1,307,531	1,307,531
Ending Cash Balance	556,549	1,824,630	1,202,752	404,114	421,114	438,114	455,114
Encumbrances	16,086	22,574	24,256				
Unencumbered Cash Balance	540,463	1,802,056	1,178,496	404,114	421,114	438,114	455,114

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Expenditures for FY09 includes \$900,000 to the general fund pursuant to Act 79, SLH 2009.

** Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-110
 Name of Fund: OCP Restitution Fund
 Legal Authority: 487:14(c), HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF): T
 Appropriation Acct. No.: T-920-R

Intended Purpose:

To hold and disburse moneys received or recovered by the Office of Consumer Protection which are due to consumers as restitution.

Source of Revenues:

Consumer restitution paid by respondents and disbursed by OCP pursuant to settlement or court order.

Current Program Activities/Allowable Expenses:

We are continuing to collect and distribute restitution payments from this account pursuant to appropriate court orders and judgments.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	50,681	50,681	50,681	50,681	50,681	50,681	50,681
Beginning Cash Balance	108,241	116,580	124,979	133,379	133,379	133,379	133,379
Revenues	9,263	43,157	8,900				
Expenditures	924	34,758	500				
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	116,580	124,979	133,379	133,379	133,379	133,379	133,379
Encumbrances							
Unencumbered Cash Balance	116,580	124,979	133,379	133,379	133,379	133,379	133,379

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

REVISED: 12-11-09

Department: CCA
 Prog ID(s): CCA-111
 Name of Fund: Compliance Resolution Fund - Business Registration
 Legal Authority: 26-9, HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF): B
 Appropriation Acct. No.: S-306-R

Intended Purpose:

To fund the operations of the Business Registration Division.

Source of Revenues:

Chapters 414, 414D, 415A, 417E, 419, 421, 421C, 4211, 423, 424, 425, 425E, 428, and 482, HRS. - Business registration fees: Corporation, partnership, limited liability company and cooperative registration fees and trademark, trade name, service mark, publicity right filing fees.

Chapter 482E - Franchise filing fees.

Chapter 485A - Securities fees and penalties: Securities, broker-dealer, salesperson, investment adviser and investment adviser representative filing fees and penalty fees for securities law violations.

Current Program Activities/Allowable Expenses:

Register and maintain the registry for public access for corporations, partnerships, limited liability companies, cooperatives, trademarks, trade names, service marks and publicity rights. Help the public in their business registration filings through business centers that offer assistance in facilitating, coordinating and expediting filings. Review and approve filing applications and investigate, prosecute and enforce substantive regulatory compliance pursuant to State securities and franchise filing laws.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Reduce one permanent position and funds. (-\$60,611)
- Reduce ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$353,930)

Financial Data							
	FY 2007	FY 2008	FY 2009*	FY 2010	FY 2011**	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	6,064,425	6,440,207	6,505,207	6,709,851	6,295,310	6,649,240	6,649,240
Beginning Cash Balance	7,243,972	6,820,842	7,293,925	6,305,141	8,259,022	8,701,391	8,745,498
Revenues	5,860,371	7,221,315	6,774,442	9,122,000	7,930,000	7,930,000	7,930,000
Expenditures	5,082,031	5,504,266	6,612,570	6,337,884	6,295,310	6,649,240	6,649,240
Transfers							
List each by JV# and date							
JS1306 09/11/08			(287,664)				
JS2476 11/13/08			(287,664)				
JS3930 02/11/09			(287,664)				
JS4599 04/17/09			(287,664)				
Net Total Transfers	(1,201,470)	(1,243,966)	(1,150,656)	(830,235)	(1,192,321)	(1,236,653)	(1,236,653)
Ending Cash Balance	6,820,842	7,293,925	6,305,141	8,259,022	8,701,391	8,745,498	8,789,605
Encumbrances	387,274	418,439	243,633				
Unencumbered Cash Balance	6,433,568	6,875,486	6,061,508	8,259,022	8,701,391	8,745,498	8,789,605

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Expenditures for FY09 includes \$1,100,00 to the general fund pursuant to Act 79, SLH 2009.

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-112
 Name of Fund: Compliance Resolution Fund - RICO
 Legal Authority: 26-9(o), HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-312-R

Intended Purpose:

Complaints receipt, mediation, arbitration, investigation, and prosecution of matters in areas for which a license, registration or certificate is required from the Department or its boards, commissions or regulatory programs.

Source of Revenues:

Compliance Resolution Fund fee; penalties and fines collected; interest earned on fund balances.

Current Program Activities/Allowable Expenses:

Complaints receipt, mediation, investigation, complaint resolution and prosecution related to licenses, registrations or certificates required from the Department or its boards, commissions or programs.

Purpose of Proposed Ceiling Increase/decrease (if applicable):

- Reduce ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$348,066)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	4,975,448	5,253,047	5,317,369	5,579,836	5,231,770	5,579,836	5,579,836
Beginning Cash Balance	6,976,709	7,298,743	6,438,881	6,558,263	4,956,727	3,780,690	1,759,877
Revenues	6,003,844	4,669,545	6,014,689	4,190,000	5,040,000	4,590,000	5,290,000
Expenditures	4,670,046	4,515,302	4,966,430	5,107,145	5,231,770	5,579,836	5,579,836
Transfers							
List each by JV# and date							
JS1306 09/11/08			(232,219)				
JS2476 11/13/08			(232,219)				
JS3930 02/11/09			(232,219)				
JS4599 04/17/09			(232,220)				
Net Total Transfers	(1,011,764)	(1,014,105)	(928,877)	(684,391)	(984,267)	(1,030,977)	(1,030,977)
Ending Cash Balance	7,298,743	6,438,881	6,558,263	4,956,727	3,780,690	1,759,877	439,064
Encumbrances	177,498	160,137	42,874				
Unencumbered Cash Balance	7,121,245	6,278,744	6,515,389	4,956,727	3,780,690	1,759,877	439,064

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-112
 Name of Fund: State Certified Motor Vehicle Arbitration Fund
 Legal Authority: HRS 4811

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) T
 Appropriation Acct. No. T-915-R

Intended Purpose:

Administration of the State Certified Motor Vehicle Arbitration Program (Lemon Law) created pursuant to Chapter 4811, HRS.

Source of Revenues:

Filing fees paid by vehicle manufacturers and consumers.

Current Program Activities/Allowable Expenses:

Implementation and administration of the State Certified Arbitration Program (Lemon Law) created pursuant to Chapter 4811, HRS.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling							
Beginning Cash Balance	134,571	141,384	140,248	139,465	138,465	137,465	136,465
Revenues	12,900	5,025	4,950	5,000	5,000	5,000	5,000
Expenditures	6,087	6,161	5,733	6,000	6,000	6,000	6,000
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	141,384	140,248	139,465	138,465	137,465	136,465	135,465
Encumbrances		100					
Unencumbered Cash Balance	141,384	140,148	139,465	138,465	137,465	136,465	135,465

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): _____
 Name of Fund: Temporary Deposits
 Legal Authority: _____

Contact Name: Kay Okimoto
 Phone: 586-2831
 Fund type (MOF) Temporary Deposits
 Appropriation Acct. No. T-902-R

Intended Purpose:

The fund was established by DCCA to account for temporary deposits. Moneys deposited in this fund may be later transferred to the appropriate fund.

Source of Revenues:

Various revenue sources (e.g., Moneys for the Medical Claims Conciliation Panel, Design Claims Conciliation Panel, & Hawaii Joint Underwriting Plan are deposited into this account, and when an invoice is received it is paid out from this account).

Current Program Activities/Allowable Expenses:

See above information.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	0	0	0	0	0	0	0
Beginning Cash Balance	1,084,463	1,997,736	1,167,830	1,985,552	1,551,770	2,096,945	1,639,171
Revenues	1,929,614	1,193,434	1,960,790	1,545,806	1,701,630	1,562,856	1,687,005
Expenditures	1,016,341	2,023,340	1,143,068	1,979,588	1,156,455	2,020,630	1,099,880
Transfers							
List each by JV# and date							
Net Total Transfers	0	0	0				
Ending Cash Balance	1,997,736	1,167,830	1,985,552	1,551,770	2,096,945	1,639,171	2,226,296
Encumbrances	287,626	1,463	27,426				
Unencumbered Cash Balance	1,710,110	1,166,367	1,958,126	1,551,770	2,096,945	1,639,171	2,226,296

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

Department: CCA
 Prog ID(s): CCA-191
 Name of Fund: Compliance Resolution Fund
 Legal Authority: 26-9(o), HRS

Contact Name: Karen Lim
 Phone: 586-2841
 Fund type (MOF) B
 Appropriation Acct. No. S-310-R,S-398-R

Intended Purpose:

To enhance program effectiveness and efficiency by providing direction and general support services.

Source of Revenues:

Administrative fee from MCCP claim fees pursuant to HRS §671-11(d), publication/copy fees.

Current Program Activities/Allowable Expenses:

See attached.

Purpose of Proposed Ceiling Increase/Decrease (if applicable):

- Increase ceiling to cover Dept. of Attorney General services. (\$200,000)
- Increase ceiling to cover est. vacation payout. (\$193,882)
- Reduce one permanent position and funds. (-\$112,157)
- Reduce one permanent position and funds. (-\$51,853)
- Reduce FY11 ceiling to reflect two furlough days each month based on filled positions as of 10/01/09. (-\$289,182)
- Reduce FY11 ceiling to reflect 5% pay cut for Director & Deputy Director. (-\$13,524)
- Convert one temp. position to perm.; and increase ceiling to cover equipment costs. (\$14,300)

Financial Data							
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011*	FY 2012	FY 2013
	(actual)	(actual)	(actual)	(estimated)	(estimated)	(estimated)	(estimated)
Appropriation Ceiling	4,972,168	5,516,080	5,714,830	5,953,460	5,851,566	5,746,090	5,746,090
Beginning Cash Balance	1,171,077	1,723,848	2,309,792	3,067,564	1,943,305	1,897,305	2,351,305
Revenues	432,459	690,546	504,714	454,277	454,000	454,000	454,000
Expenditures	4,697,224	5,147,737	5,164,244	5,955,805	5,851,566	5,746,090	5,746,090
Transfers							
List each by JV# and date							
JS1306 09/11/08			980,937				
JS2476 11/13/08			980,937				
JS3930 02/11/09			1,727,712				
JS4599 04/17/09			1,727,716				
Net Total Transfers	4,817,536	5,043,135	5,417,302	4,377,269	5,351,566	5,746,090	5,746,090
Ending Cash Balance	1,723,848	2,309,792	3,067,564	1,943,305	1,897,305	2,351,305	2,805,305
Encumbrances	454,759	287,141	221,180				
Unencumbered Cash Balance	1,269,089	2,022,651	2,846,384	1,943,305	1,897,305	2,351,305	2,805,305

Additional Information:

Amount Req. for Bond Conveyance							
Amount from Bond Proceeds							
Amount Held in CODs, Escrow Accounts, or Other Investments							

* Appropriation ceiling reflects departmental FY11 supplemental budget submitted to B&F for executive decision.

Report on Non-General Fund Information
for Submittal to the 2010 Legislature

DCCA Non-General Fund Information - Compliance Resolution Fund (S-310-R,S-398-R)

Page 2

Current Program Activities/Allowable Expenses:

Provide general policy and administrative leadership, supervision and coordination of the various programs of the department. Provide individual programs with financial resources, budgetary direction and control necessary for their operation. Assist individual programs with the supply, development and maintenance of the human resources necessary for staffing their operations. Provide Director with staff assistance in the direction and supervision of the operating division; and provide centralized clerical services and relief necessary to support and supplement the operating division. Plans, directs and coordinates the department's internal and external communications through the sharing and transfer of the information via various mediums. Directs the development, implementation and maintenance of computerized information systems capable of communicating and sharing data and information internally and externally. Administers a program for informed consumerism through the sharing and transfer of information departmentally and statewide.

Provide specialized staff support to all divisions and boards by conducting hearings, as required, to ensure impartial and informed treatment in resolving consumer complaints; and provide a means for prompt and fair disposition or settlement of medical tort claims or claims of professional negligence against an engineer, architect or surveyor licensed under Chapter 464, HRS.