A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1 SECTION 1. The legislature finds that Act 115, Session

2 Laws of Hawaii 1998, was enacted in response to the economic

3 revitalization task force's principal recommendation to provide

4 greater autonomy to the University of Hawaii to allow the

5 university to fulfill their constitutional role and

6 administration of its constitutionally-designated assets and

7 public trust undertakings. Unlike most state agencies, the

8 University of Hawaii has the authority to transfer appropriated

9 funds and positions among programs and between fiscal quarters

10 without legislative authorization. The university is currently

11 required to account for these transfers in fiscal year-end

12 reports to the legislature.

13 The legislature further finds that as a matter of statewide

14 concern, the university's financial flexibility should be

15 transparent and subject to more frequent reporting requirements

16 for legislative oversight.

1   The purpose of this Act is to require the University of

2   Hawaii to report these types of transfers to the legislature

3   within thirty days for transparency and oversight of the

4   university.

5   SECTION 2.   Section 37-74, Hawaii Revised Statutes, is

6   amended by amending subsection (d) to read as follows:

7   "(d)   No appropriation transfers or changes between

8   programs or agencies shall be made without legislative

9   authorization; provided that:

10   (1)   Authorized transfers or changes, when made, shall be

11   reported to the legislature;

12   (2)   Except with respect to appropriations to fund

13   financing agreements under chapter 37D, the University

14   of Hawaii may transfer appropriated funds and

15   positions for the operating cost category among

16   programs, among cost elements in a program, and

17   between quarters, as applicable; except with respect

18   to appropriations to fund financing agreements under

19   chapter 37D, the department of education may transfer

20   appropriated funds and positions for the operating

21   cost category among programs and among cost elements

1   in a program, and between quarters, as applicable; and

2   the Hawaii health systems corporation and its regional

3   system boards may transfer special fund appropriations

4   among regional system hospital facilities as

5   applicable and as mutually agreed to by the

6   corporation and the respective regional system board;

7   provided that the Hawaii health systems corporation

8   and the regional system boards shall maintain the

9   integrity and services of each individual regional

10   system and shall not transfer appropriations out of

11   any regional system that would result in a reduction

12   of services offered by the regional system, with due

13   regard for statutory requirements, changing

14   conditions, the needs of the programs, and the

15   effective utilization of resources; [and]

16   (3) The university and the department of education shall

17   account for each transfer implemented under this

18   subsection in quarterly reports to the governor and

19   annual reports at the end of each fiscal year to the

20   legislature and the governor, which shall be prepared

21   in the form and manner prescribed by the governor and

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1   shall include information on the sources and uses of

2   the transfer[.]; and

3   (4)   The university shall submit a report to the

4   legislature for each transfer implemented under this

5   subsection within thirty days of the transfer."

6   SECTION 3.   Statutory material to be repealed is bracketed

7   and stricken.   New statutory material is underscored.

8   SECTION 4.   This Act shall take effect on May 12, 2050.

9

Report Title:
Government; Budget; University of Hawaii

Description:
Requires the University of Hawaii to submit a report to the legislature within thirty days of each appropriation transfer or changes between programs. Takes effect 5/12/2050. (SD1)

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