

ACT 271

H.B. NO. 2879-82

A Bill for an Act Relating to Fees and Charges Collected from the Users of School Facilities.

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

SECTION 1. Purpose. The department of education presently lacks statutory authority to deposit the fees collected from the users of school buildings,

facilities, grounds, and equipment into a separate fund and expended under such rules as the board of education may prescribe. In the absence of statutory authority, the department of education is required to deposit these moneys into the state treasury as general fund realizations.

SECTION 2. Section 298-23, Hawaii Revised Statutes, is amended to read as follows:

“§298-23 Use of school facilities for recreational and community purposes. All public school buildings, facilities, and grounds shall be available for general recreational purposes, and for public and community use, whenever these activities do not interfere with the normal and usual activities of the school, and its pupils, concerned. Any law or portion of any law to the contrary notwithstanding, the department of education shall issue such rules [and regulations] as are deemed necessary to carry out the purposes of this section and shall be empowered to issue licenses, revocable permits, concessions, or rights of entry to school buildings and grounds for such periods of use as deemed appropriate by the department. All such dispositions, including those in excess of fourteen days, need not be approved by the board of land and natural resources; provided[, however,] that approval by the board of land and natural resources shall be required when such dispositions are for periods in excess of a year. The department of education may assess and collect fees and charges from the users of school buildings, facilities, grounds, and equipment. The fees and charges shall be deposited into a separate fund and expended by the department under rules as may be adopted by the board of education.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 17, 1982.)