

ACT 3

H.B. NO. 107¹

A Bill for an Act Relating to State Warrants.

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

SECTION 1. Section 40-56, Hawaii Revised Statutes, is amended to read as follows:

“§40-56 Warrants for supplies, incidentals. Warrants for bills of materials, supplies, and incidentals of every kind and character, shall be made

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payable to the order of each individual person to whom the State is indebted, except as provided in section 40-58, and only after an original warrant voucher shall have been presented to the comptroller accompanied by all original bills and any other supporting document as may be required by the comptroller. The original warrant voucher shall have indorsed thereon the approval of the officer in whose department the liability or expense has been incurred, and the appropriation to which it is chargeable; and further, each original bill shall be specially certified to by the subordinate officer of the State directly incurring the liability or expense that all the materials, supplies, and incidentals have been received in good order and condition[.], unless the bill is for an advance payment or a deposit to be paid as specified in the department's purchase order, in which case the certification of the original bill by the subordinate officer is not required. Any advance payment made under this section must conform to the common business practice for making such payment as determined by the comptroller."

SECTION 2. Section 40-57, Hawaii Revised Statutes, is amended to read as follows:

"§40-57 Warrants on account of contracts. All warrants for bills on account of state contracts shall be made payable to the order of the person to whom the State is directly indebted, except as provided in section 40-58, and only after an original warrant voucher shall have been presented to the comptroller accompanied by all original bills and any other supporting document as may be required by the comptroller. The original warrant voucher shall have indorsed thereon the approval of the officer in whose department the contracts have been made, and the appropriation to which it is chargeable; and further, each original bill shall be specially certified to by the subordinate officer of the State supervising the work performed, or receiving the materials and supplies as specified in the contracts, that the work has been faithfully performed and that the materials and supplies were in a good and merchantable condition when received[.], unless the bill is for an advance payment or a deposit to be paid as specified in the department's contract, in which case the certification of the original bill by the subordinate officer is not required. No warrant shall be issued unless a copy of the contract or bid shall have been filed with the comptroller, together with a statement by the head of the department or agency that made the contract or accepted the bid, naming the appropriation to which the contract or bid is to be chargeable."

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

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

(Approved March 18, 1986.)

Note

1. H.B. No. 107 was initially approved by the Governor on March 18, 1986, and designated as Act 3. However, the Governor was subsequently informed that the bill had not yet passed a constitutionally required additional reading and had been, through oversight, prematurely presented to him. Since Act 3 appeared to be constitutionally invalid and the Legislature was still in session, the Governor returned the bill to the Legislature for the required additional reading. The bill that passed the required additional reading and that was thereafter presented to and approved by the Governor is Act 94.