

ACT 31

S.B. NO. 2117

A Bill for an Act Relating to Education.

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

SECTION 1. The legislature finds that section 302A-1504, Hawaii Revised Statutes, requires the department of education to establish a school-level minor repair and maintenance account that does not exceed \$25,000 per school for use by each public school, and requires the department of education to make annual reports to the director of finance on the total amount of funds in the account that shall carry over to the next fiscal year. The legislature also finds that the account and reporting requirements apply to the school-level minor repairs and maintenance special fund established by section 302A-1504.5, Hawaii Revised Statutes. The special fund receives funds from the income check-off on state income tax refunds pursuant to section 235-102.5(b), Hawaii Revised Statutes. The legislature finds that the amount of moneys normally deposited into the special fund is such that a school-by-school accounting of moneys in the special fund is unnecessary. The legislature further finds that section 37-47, Hawaii Revised Statutes, sets forth reporting requirements for all non-general funds, including the school-level minor repairs and maintenance special fund. For these reasons, the legislature finds that the requirements of section 302A-1504, Hawaii Revised Statutes, are duplicative and unnecessary.

The purpose of this Act is to repeal the school-level minor repair and maintenance account and reporting requirements and to require the department of education to annually report to the director of finance and the legislature the total amount of funds in the school-level minor repair and maintenance special fund that is carried over to the following fiscal year.

SECTION 2. Section 302A-1504.5, Hawaii Revised Statutes, is amended to read as follows:

“§302A-1504.5 School-level minor repairs and maintenance special fund[-] reporting of carry over funds. (a) There is established within the state treasury a special fund to be known as the school-level minor repairs and maintenance special fund, into which shall be deposited all moneys collected pursuant to section 235-102.5(b), and any other moneys received by the department in the form of grants and donations for school-level minor repairs and maintenance. The special fund shall be administered by the department and used to fund school-level minor repairs and maintenance.

(b) The department shall submit to the director of finance a report that shall be prepared in the form prescribed by the director of finance and shall identify the total amount of funds in the school-level minor repairs and maintenance special fund that will carry over to the next fiscal year. The department shall submit the report to the director of finance within ninety days of the close of each fiscal year and a copy of the report to the legislature no later than twenty days prior to the convening of each regular session.”

SECTION 3. Section 302A-1504, Hawaii Revised Statutes, is repealed.

SECTION 4. Any unexpended or unencumbered funds remaining in any school-level minor repair and maintenance account established under section 302A-1504, Hawaii Revised Statutes, as of the close of business on the effective

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date of this Act shall lapse to the credit of the school-level minor repairs and maintenance special fund.

SECTION 5. Statutory material to be repealed is bracketed and stricken.¹ New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved April 19, 2010.)

Note

1. Edited pursuant to HRS §23G-16.5.