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SB 1329

kim2 - Arline

LATE

From: ChunOakland2 - Jane
Sent: Monday, March 02, 2009 9:04 AM
To: WAM Testimony
Subject: FW: SB 1329 Relating to Early Learning

Hi, I'm forwarding this info from AG's office that came in re: SB1329- Early learning Council. -Jane

Jane Seymour
Office of Senator Suzanne Chun Oakland
State Capitol, Room 226
Honolulu, HI 96813
Phone: (808) 586-6130; Fax (808) 586-6131
chunoakland2@capitol.hawaii.gov
keikicaucus@yahoo.com

From: Randall.S.Nishiyama@hawaii.gov [mailto:Randall.S.Nishiyama@hawaii.gov]
Sent: Thursday, February 26, 2009 5:42 PM
To: Sen. Suzanne Chun Oakland
Cc: Dee Jay Mailer; Robert G. Peters
Subject: SB 1329 Relating to Early Learning

Senator Chun Oakland:

Pursuant to the request from Dee Jay Mailer, Early Learning Council Co-Chair, I recommend that section 3 of SB 1329, SD 1, be amended to read as follows:

SECTION 3. Section 302L-5, Hawaii Revised Statutes, is amended to read as follows:

"[+]§302L-5[+] [~~Keiki first steps~~] Early learning trust fund. There is established within the state treasury the [~~keiki first steps~~] early learning trust fund, to be administered by the early learning council, into which shall be deposited all moneys received by the council in the form of:

- (1) Fees;
- (2) Grants;
- (3) Donations;
- (4) Appropriations made by the legislature to the fund; and
- (5) Revenues regardless of their source,

and earnings on moneys in the fund. Moneys in the fund shall be used for the early learning system. Expenditures from the fund may be made by the council without appropriation or allotment. [~~Unexpended moneys in the fund shall not lapse to the credit of the general fund and shall remain in the early learning trust fund at the end of each fiscal year.~~] Any general fund appropriations designated for the State's early learning system under chapter 302L that are unexpended or unencumbered by the end of the fiscal period specified in the appropriating Act shall lapse into the fund."

I recommend that the sentence "Unexpended moneys in the fund shall not lapse to the credit of the general fund and shall remain in the early learning trust fund at the end of each fiscal year" be deleted because it is unnecessary. Moneys in a trust fund lapse back to the subject trust fund. Such moneys do not lapse to the general fund.

Also, I recommend that the language relating to the lapsing of general funds to the Early Learning Trust Fund from HB 395 be inserted into SB 1329 because this amendment will permit the Early Learning Council to save any unencumbered and unexpended general funds that it may have at the end of a fiscal year and have those moneys lapse to the Early Learning Trust Fund rather than the general fund. Once such moneys are in the Early Learning Trust Fund, the Early Learning Council would be able to expend such moneys subject to the statutory provisions of the Trust Fund.

Please call me at 586-1267 if you have any questions regarding this matter.

Randall S. Nishiyama
Deputy Attorney General

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----- Forwarded by Randall S Nishiyama/AG/StateHIUS on 02/26/2009 05:19 PM -----

Johnna J Bukoski/AG/StateHIUS

To: Randall S Nishiyama/AG/StateHIUS@StateHIUS

cc

02/26/2009 04:15 PM

Subject Fw: Early Learning

fyi,

Johnna J. Bukoski
Department of the Attorney General
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----- Forwarded by Johnna J Bukoski/AG/StateHiUS on 02/26/2009 04:12 PM -----

Coleen Kaanehe <cokaaneh@ksbe.edu>

To <johnna.j.bukoski@hawaii.gov>

cc "Dee Jay Mailer" <djmaler@ksbe.edu>, "Robert G. Peters" <RPeters@hanahauoli.org>

02/26/2009 04:04 PM

Subject Early Learning

Aloha e Johnna, mahalo nui for getting this urgent message to Randal Nishiyama .

A message from Dee Jay Mailer, Early Learning Council Co-Chair

Aloha Randall,

Bob Peter's is on the mainland until next week. In his absence, could I ask you to email Senator Chun Oakland (at senchunoakland@capitol.hawaii.gov or call her staff Jane Seymour 586-6130 or fax 586-6131) to let her know you are okay with the HB 395 language that we want inserted into SB 1329.

"Any general fund appropriations designated for the State's early learning system under chapter 302L that are unexpended or unencumbered by the end of the fiscal period specified in the appropriating Act shall lapse into the fund." (Excerpt from HB 395).

Very much appreciate your urgent action on this, the hearing is tomorrow at 10 am. Please give me a call at 523-6281 if you're not comfortable doing this.

Mahalo nui,

Dee Jay