



GOV. MSG. NO. 489

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

April 19, 2010

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on April 19, 2010, the following bill was signed into law:

SB2117 SD1

A BILL FOR AN ACT
RELATING TO EDUCATION.
ACT 031 (10)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on APR 19 2010

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2010
STATE OF HAWAII

ACT 031

S.B. NO. 2117
S.D. 1

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. The legislature finds that section 302A-1504,
2 Hawaii Revised Statutes, requires the department of education to
3 establish a school-level minor repair and maintenance account
4 that does not exceed \$25,000 per school for use by each public
5 school, and requires the department of education to make annual
6 reports to the director of finance on the total amount of funds
7 in the account that shall carry over to the next fiscal year.
8 The legislature also finds that the account and reporting
9 requirements apply to the school-level minor repairs and
10 maintenance special fund established by section 302A-1504.5,
11 Hawaii Revised Statutes. The special fund receives funds from
12 the income check-off on state income tax refunds pursuant to
13 section 235-102.5(b), Hawaii Revised Statutes. The legislature
14 finds that the amount of moneys normally deposited into the
15 special fund is such that a school-by-school accounting of
16 moneys in the special fund is unnecessary. The legislature
17 further finds that section 37-47, Hawaii Revised Statutes, sets



1 forth reporting requirements for all non-general funds,
2 including the school-level minor repairs and maintenance special
3 fund. For these reasons, the legislature finds that the
4 requirements of section 302A-1504, Hawaii Revised Statutes, are
5 duplicative and unnecessary.

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

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

14 **"§302A-1504.5 School-level minor repairs and maintenance**
15 **special fund[-] reporting of carry over funds. (a)** There is
16 established within the state treasury a special fund to be known
17 as the school-level minor repairs and maintenance special fund,
18 into which shall be deposited all moneys collected pursuant to
19 section 235-102.5(b), and any other moneys received by the
20 department in the form of grants and donations for school-level
21 minor repairs and maintenance. The special fund shall be



1 administered by the department and used to fund school-level
2 minor repairs and maintenance.

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

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

14 ~~["§302A-1504 School-level minor repair and maintenance~~
15 ~~account. (a) The department shall establish a school-level~~
16 ~~minor repair and maintenance account for the use by each public~~
17 ~~school that shall not exceed \$25,000 each per school. The~~
18 ~~account shall be comprised of funds appropriated out of the~~
19 ~~school-level minor repairs and maintenance special fund pursuant~~
20 ~~to section 302A-1504.5 for school-level minor repairs and~~
21 ~~maintenance and shall not be used for any other purpose, nor~~
22 ~~shall any other funds be deposited into the account.~~



1 ~~(b) Funds in the account shall be expended at the~~
2 ~~direction of the school principal to contract for minor repairs~~
3 ~~and maintenance. Notwithstanding any other law to the contrary,~~
4 ~~special funds appropriated for this purpose that are~~
5 ~~unencumbered at the close of each fiscal year in the account~~
6 ~~shall not lapse until June 30 of the first fiscal year of the~~
7 ~~next fiscal biennium. The department shall submit:~~

8 ~~(1) A report to the director of finance, ninety days after~~
9 ~~the close of each fiscal year, which shall be prepared~~
10 ~~in the form prescribed by the director of finance and~~
11 ~~shall identify the total amount of funds in the~~
12 ~~account that shall carry over to the next fiscal year,~~
13 ~~and~~

14 ~~(2) A copy of this report to the legislature at least~~
15 ~~twenty days prior to the convening of each regular~~
16 ~~session of the legislature."]~~

17 SECTION 4. Any unexpended or unencumbered funds remaining
18 in any school-level minor repair and maintenance account
19 established under section 302A-1504, Hawaii Revised Statutes, as
20 of the close of business on the effective date of this Act shall
21 lapse to the credit of the school-level minor repairs and
22 maintenance special fund.



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

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

4

APPROVED this 19 day of APR, 2010



GOVERNOR OF THE STATE OF HAWAII