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## A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1           SECTION 1. The purpose of this Act is to repeal the board  
2 of regent's authority to expend up to \$3,000,000 from the  
3 tuition and fees special fund to promote alumni relations and  
4 generate private donations to the University of Hawaii  
5 Foundation.

6           SECTION 2. Section 304A-2153, Hawaii Revised Statutes, is  
7 amended to read as follows:

8           " [f] §304A-2153 [f] University of Hawaii tuition and fees  
9 special fund. (a) There is established the University of  
10 Hawaii tuition and fees special fund into which shall be  
11 deposited all revenue collected by the university for regular,  
12 summer, and continuing education credit tuition, tuition-related  
13 course and fee charges, and any other charges to students,  
14 except as provided by law. Moneys deposited into the fund shall  
15 be expended to maintain or improve the university's programs and  
16 operations and shall not be:



1 (1) Used as a justification for reducing any budget  
2 request or allotment to the university unless the  
3 university requests such a reduction;

4 (2) Transferred unless otherwise authorized by the  
5 legislature; and

6 (3) Restricted by the governor or the director of finance  
7 without the prior approval of the legislature.

8 Any rule, policy, or action of any agency or individual in  
9 contravention of this subsection shall be void as against public  
10 policy.

11 ~~[(b) Any law to the contrary notwithstanding, the board of~~  
12 ~~regents may authorize expenditures of up to \$3,000,000 annually,~~  
13 ~~excluding in-kind services, from this fund for the purposes of~~  
14 ~~promoting alumni relations and generating private donations for~~  
15 ~~deposit into the University of Hawaii Foundation for the~~  
16 ~~purposes of the university. Any expenditure authorized pursuant~~  
17 ~~to this subsection shall be for a public purpose and shall not~~  
18 ~~be subject to chapters 42F, 103, 103D, and 103F. The university~~  
19 ~~shall submit a comprehensive report to the legislature detailing~~  
20 ~~the use of any funds authorized by the board under this~~  
21 ~~subsection no later than twenty days prior to the convening of~~  
22 ~~each regular session.~~



- 1       ~~The report shall:~~
- 2       ~~(1) Identify each department of the University of Hawaii~~  
3       ~~Foundation supported by moneys from the fund;~~
- 4       ~~(2) Describe the purposes and activities of each~~  
5       ~~department identified in paragraph (1) and how it~~  
6       ~~participates in fundraising activities and benefits~~  
7       ~~the university;~~
- 8       ~~(3) Provide the total expenditures of each department~~  
9       ~~identified in paragraph (1) by primary expense~~  
10       ~~categories;~~
- 11       ~~(4) Identify all moneys from the fund transferred to any~~  
12       ~~fund of the university and provide a justification of~~  
13       ~~how these moneys are used to benefit the university;~~
- 14       ~~(5) Provide a financial summary of the operating~~  
15       ~~activities of the University of Hawaii Foundation,~~  
16       ~~including revenues and expenditures by major reporting~~  
17       ~~categories; and~~
- 18       ~~(6) Identify amounts and purposes of all expenditures from~~  
19       ~~the University of Hawaii support fund.~~
- 20       ~~(e)]~~ (b) Any law to the contrary notwithstanding, the  
21 university may transfer funds from the University of Hawaii  
22 tuition and fees special fund into the scholarship and



# H.B. NO. 1898

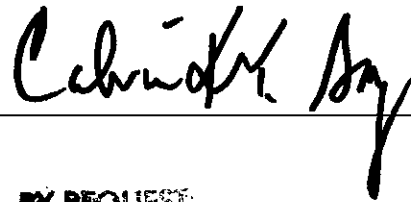
1 assistance special fund established pursuant to section [f]304A-  
2 2159 [f]."

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

5 SECTION 4. This Act shall take effect on July 1, 2010.

6

INTRODUCED BY:



BY REQUEST

JAN 13 2010



**Report Title:**

University of Hawaii Tuition And Fees Special Fund

**Description:**

Repeals the authority of the board of regents to expend up to \$3,000,000 annually from the tuition and fees special fund to promote alumni relations and generate private donations to the University of Hawaii Foundation.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

