

JAN 20 2010

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# 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.

8 SECTION 2. Section 302A-1504, Hawaii Revised Statutes, is  
9 repealed.

10 ~~["§302A-1504 School-level minor repair and maintenance~~  
11 ~~account. (a) The department shall establish a school-level~~  
12 ~~minor repair and maintenance account for the use by each public~~  
13 ~~school that shall not exceed \$25,000 each per school. The~~  
14 ~~account shall be comprised of funds appropriated out of the~~  
15 ~~school-level minor repairs and maintenance special fund pursuant~~  
16 ~~to section 302A-1504.5 for school-level minor repairs and~~  
17 ~~maintenance and shall not be used for any other purpose, nor~~  
18 ~~shall any other funds be deposited into the account.~~

19 ~~(b) Funds in the account shall be expended at the~~  
20 ~~direction of the school principal to contract for minor repairs~~  
21 ~~and maintenance. Notwithstanding any other law to the contrary,~~  
22 ~~special funds appropriated for this purpose that are~~



1 ~~unencumbered at the close of each fiscal year in the account~~  
2 ~~shall not lapse until June 30 of the first fiscal year of the~~  
3 ~~next fiscal biennium. The department shall submit:~~

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

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

13 SECTION 3. Any unexpended or unencumbered funds remaining  
14 in any school-level minor repair and maintenance account  
15 established under section 302A-1504, Hawaii Revised Statutes, as  
16 of the close of business on the effective date of this Act shall  
17 lapse to the credit of the school-level minor repairs and  
18 maintenance special fund.

19 SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken.

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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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**Report Title:**

Repeal of School-Level Minor Repair and Maintenance Account

**Description:**

Repeals the school-level minor repair and maintenance account.

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