
A BILL FOR AN ACT

RELATING TO THE STATE EDUCATIONAL FACILITIES IMPROVEMENT SPECIAL FUND.

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

1 SECTION 1. Section 36-32, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§36-32 State educational facilities improvement special**
4 **fund.** (a) There is created in the treasury of the State the
5 state educational facilities improvement special fund, into
6 which shall be deposited a portion of all general excise tax
7 revenues collected by the department of taxation under section
8 237-31. The special fund shall be used solely to plan, design,
9 acquire lands for, and to construct public school facilities and
10 to provide equipment and technology infrastructure to improve
11 public schools and other facilities under the jurisdiction of
12 the department of education, except public libraries. In
13 addition, activities of the department of education intended to
14 eliminate the gap between the facility needs of schools and
15 available resources shall be eligible for funding from the
16 special fund. Expenditures from the special fund shall be
17 limited to projects authorized by the legislature and shall be



1 subject to sections 37-31, and 37-33 through 37-40.

2 Appropriations or authorizations from the special fund shall be
3 expended by the superintendent of education.

4 (b) The budget and supplemental budget submitted pursuant
5 to sections 37-71 and 37-72 shall include financial requirements
6 for general funds or general obligation bonds for projects
7 authorized by the state educational facilities improvement
8 special fund.

9 ~~[(b)]~~ (c) There is established within the state
10 educational facilities improvement special fund a separate
11 account, to be known as the lease payments for schools account,
12 for lease payments required by financing agreements entered into
13 by the department of education pursuant to this section and
14 sections 37D-2 and 302A-1506. The lease payments for schools
15 account shall be funded by legislative appropriations and
16 expended by the superintendent of education. Expenditures from
17 the lease payments for schools account shall be exempt from
18 chapters 103 and 103D and are restricted to lease payments on
19 new schools included within the department of education's
20 current six year capital improvement programs and for which:

21 (1) The legislature adopted a concurrent resolution
22 directing the department of education to:



1 (A) Build a new school in a specific geographic area
2 using the design-build method; and

3 (B) Pursue the use of a financing agreement to build
4 the new school; or

5 (2) The legislature appropriated planning and design funds
6 and specified that the remainder of the costs
7 necessary to complete the project are eligible for
8 funding through a financing agreement;

9 provided that any school to which the legislature has
10 appropriated planning and design funds prior to July 1, 2007 and
11 for which a private developer is willing to enter into a lease-
12 purchase agreement with the department of education within
13 twelve months of July 1, 2007 is exempt from the requirements of
14 [~~+~~]paragraphs[+] (1) and (2).

15 [~~(e)~~] (d) The department of education shall submit an
16 annual report to the legislature that shall include a financial
17 statement of the special fund, the lease payments for schools
18 account established under subsection (b), and the status of
19 projects undertaken pursuant to this section, no later than
20 twenty days prior to the convening of each regular session."

21 SECTION 2. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

State Educational Facilities Improvement Special Fund

Description:

Requires the budget and supplemental budget submitted pursuant to sections 37-71 and 37-72, Hawaii Revised Statutes, to include financial requirements for general funds or general obligation bonds for projects authorized by the state educational facilities improvement special fund. Effective 7/1/2050. (SD1)

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

