

JAN 17 2014

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. Section 304A-2003, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "~~§304A-2003~~ **Appropriations; accounts; depositories.**
4 Moneys appropriated by the legislature for the university shall
5 be payable by the director of finance, upon vouchers approved by
6 the board of regents or by any officer elected or appointed by
7 the board under section 304A-105 and authorized by the board to
8 approve such vouchers on behalf of the board. All moneys
9 received by or on behalf of the board or the university shall be
10 deposited with the director of finance; except that any moneys
11 received from the federal government or from private
12 contributions shall be deposited and accounted for in accordance
13 with conditions established by the agencies or persons from whom
14 the moneys are received and except that, with the concurrence of
15 the director of finance, moneys received from the federal
16 government for research, training, and other related purposes of
17 a transitory nature and moneys in trust, special, or revolving
18 funds administered by the university may be deposited in



1 depositories other than the state treasury; provided that the
2 university informs the director of finance of the depositories
3 in which moneys from the funds have been deposited and submits
4 copies of annual statements from each of the depositories in
5 which the moneys from the funds are deposited. All income from
6 tuition and fees charged for regular courses of instruction and
7 tuition related course and fee charges against students shall be
8 deposited to the credit of the ~~[University of Hawaii tuition and~~
9 ~~fees special fund pursuant to section [304A-2153].]~~ general
10 fund. Income from university projects as defined and described
11 in section [304A-2167.5] and sections [304A-2671] to
12 [304A-2684], may be credited to special or other funds."

13 SECTION 2. Section 304A-2101, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[304A-2101] **General fund budget appropriations;**
16 **formulation.** (a) The general fund budget appropriations for
17 the university shall be an amount not less than three times and
18 not greater than five times the amount of regular tuition and
19 related fee revenues estimated for that fiscal year.

20 (b) Any general fund budget appropriation for the
21 university for operating purposes for any fiscal year shall
22 include the consideration of:



- 1 (1) The fiscal condition of the State;
- 2 (2) Enrollment;
- 3 (3) Access to educational opportunity;
- 4 (4) The mix of resident and nonresident students; and
- 5 (5) Community service and noninstruction programs.

6 ~~[(c) No revenue received by the university pursuant to the~~
7 ~~University of Hawaii tuition and fees special fund established~~
8 ~~under section [304A-2153] may be used by the governor or the~~
9 ~~director of finance as a justification for reducing any budget~~
10 ~~request or allotment to the university unless the university~~
11 ~~requests such a reduction.] "~~

12 SECTION 3. Section 304A-2159, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) Revenues deposited into this fund shall include but
15 not be limited to state, federal, and private funds, [~~funds~~
16 ~~transferred by the university from the tuition and fees special~~
17 ~~fund pursuant to section [304A-2153],~~] and appropriations for
18 the state scholars program; provided that state funds
19 appropriated for any scholarship program, including but not
20 limited to the B Plus scholarship program, the Hawaii state
21 scholars program, and the workforce development scholarship
22 program, shall be kept in a separate and distinct account."



1 SECTION 4. Section 304A-2162, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The special fund may include deposits from:

4 ~~[(1) The University of Hawaii tuition and fees special fund~~
5 ~~established in section [304A-2153];~~

6 ~~+(2)]~~ (1) Tuition, fees, and charges for affiliated
7 instructional, training, and public service courses
8 and programs; and

9 ~~[(3)]~~ (2) Fees, fines, and other money collected for:

10 (A) Student health;

11 (B) Transcript and diploma;

12 (C) Library;

13 (D) Facility use;

14 (E) Child care;

15 (F) Auxiliary enterprises;

16 (G) Alumni; and

17 (H) Other related activities."

18 SECTION 5. Section 304A-2153, Hawaii Revised Statutes, is
19 repealed.

20 ~~["[§304A-2153] University of Hawaii tuition and fees~~

21 ~~special fund. (a) There is established the University of~~

22 ~~Hawaii tuition and fees special fund into which shall be~~



1 ~~deposited all revenue collected by the university for regular,~~
2 ~~summer, and continuing education credit tuition, tuition related~~
3 ~~course and fee charges, and any other charges to students,~~
4 ~~except as provided by law. Moneys deposited into the fund shall~~
5 ~~be expended to maintain or improve the university's programs and~~
6 ~~operations and shall not be:~~

- 7 ~~(1) Used as a justification for reducing any budget~~
8 ~~request or allotment to the university unless the~~
9 ~~university requests such a reduction;~~
- 10 ~~(2) Transferred unless otherwise authorized by the~~
11 ~~legislature; and~~
- 12 ~~(3) Restricted by the governor or the director of finance~~
13 ~~without the prior approval of the legislature.~~

14 ~~Any rule, policy, or action of any agency or individual in~~
15 ~~contravention of this subsection shall be void as against public~~
16 ~~policy.~~

17 ~~(b) Any law to the contrary notwithstanding, the board of~~
18 ~~regents may authorize expenditures of up to \$3,000,000 annually,~~
19 ~~excluding in-kind services, from this fund for the purposes of~~
20 ~~promoting alumni relations and generating private donations for~~
21 ~~deposit into the University of Hawaii Foundation for the~~
22 ~~purposes of the university. Any expenditure authorized pursuant~~



1 ~~to this subsection shall be for a public purpose and shall not~~
2 ~~be subject to chapters 42F, 103, 103D, and 103F. The university~~
3 ~~shall submit a comprehensive report to the legislature detailing~~
4 ~~the use of any funds authorized by the board under this~~
5 ~~subsection no later than twenty days prior to the convening of~~
6 ~~each regular session.~~

7 ~~The report shall:~~

- 8 ~~(1) Identify each department of the University of Hawaii~~
9 ~~Foundation supported by moneys from the fund;~~
- 10 ~~(2) Describe the purposes and activities of each~~
11 ~~department identified in paragraph (1) and how it~~
12 ~~participates in fundraising activities and benefits~~
13 ~~the university;~~
- 14 ~~(3) Provide the total expenditures of each department~~
15 ~~identified in paragraph (1) by primary expense~~
16 ~~categories;~~
- 17 ~~(4) Identify all moneys from the fund transferred to any~~
18 ~~fund of the university and provide a justification of~~
19 ~~how these moneys are used to benefit the university;~~
- 20 ~~(5) Provide a financial summary of the operating~~
21 ~~activities of the University of Hawaii Foundation;~~

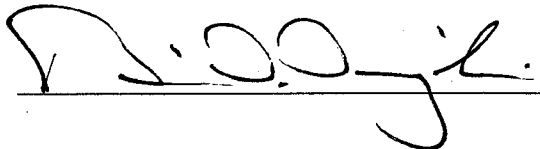


1 ~~including revenues and expenditures by major reporting~~
2 ~~categories; and~~
3 ~~(6) Identify amounts and purposes of all expenditures from~~
4 ~~the University of Hawaii support fund.~~
5 ~~(c) Any law to the contrary notwithstanding, the~~
6 ~~university may transfer funds from the University of Hawaii~~
7 ~~tuition and fees special fund into the scholarship and~~
8 ~~assistance special fund established pursuant to section [304A-~~
9 ~~2159]-."]~~

10 SECTION 6. All unencumbered and unexpended moneys
11 remaining on balance in the University of Hawaii tuition and
12 fees special fund at the close of June 30, 2014, shall be
13 transferred to the general fund.

14 SECTION 7. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 8. This Act shall take effect on July 1, 2014.

17
INTRODUCED BY: 

S.B. NO. 2551

Report Title:

University of Hawaii; Tuition and Fees

Description:

Repeals the University of Hawaii tuition and fees special fund and transfers remaining unencumbered balance to the general fund. Provides for the deposit of University of Hawaii tuition and related student fees into the general fund.

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

