

JAN 18 2013

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-2153, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "~~§~~304A-2153~~§~~ **University of Hawaii tuition and fees**
4 **special fund.** (a) There is established the University of
5 Hawaii tuition and fees special fund into which shall be
6 deposited all revenue collected by the university for regular,
7 summer, and continuing education credit tuition, tuition-related
8 course and fee charges, and any other charges to students,
9 except as provided by law. Moneys deposited into the fund shall
10 be expended to maintain or improve the university's programs and
11 operations ~~[and]~~. At least ninety per cent of the moneys
12 deposited into the fund shall be expended solely for student
13 education programs, and no more than ten per cent of the moneys
14 deposited in the fund may be expended for administrative costs
15 of the university. Moneys deposited into to the fund shall not
16 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]~~ Notwithstanding any law to the contrary
12 ~~[notwithstanding,]~~ but after meeting the requirements of
13 subsection (a), the board of regents may authorize expenditures
14 of up to \$3,000,000 annually, excluding in-kind services, from
15 this fund for the purposes of promoting alumni relations and
16 generating private donations for deposit into the University of
17 Hawaii Foundation for the purposes of the university. Any
18 expenditure authorized pursuant to this subsection shall be for
19 a public purpose and shall not be subject to chapters 42F, 103,
20 103D, and 103F. The university shall submit a comprehensive
21 report to the legislature detailing the use of any funds



1 authorized by the board under this subsection no later than
2 twenty days prior to the convening of each regular session.

3 The report shall:

4 (1) Identify each department of the University of Hawaii
5 Foundation supported by moneys from the fund;

6 (2) Describe the purposes and activities of each
7 department identified in paragraph (1) and how it
8 participates in fundraising activities and benefits
9 the university;

10 (3) Provide the total expenditures of each department
11 identified in paragraph (1) by primary expense
12 categories;

13 (4) Identify all moneys from the fund transferred to any
14 fund of the university and provide a justification of
15 how these moneys are used to benefit the university;

16 (5) Provide a financial summary of the operating
17 activities of the University of Hawaii Foundation,
18 including revenues and expenditures by major reporting
19 categories; and

20 (6) Identify amounts and purposes of all expenditures from
21 the University of Hawaii support fund.



1 (c) [~~Any~~] Notwithstanding any law to the contrary
 2 [~~notwithstanding~~] but after meeting the requirements of
 3 subsection (a), the university may transfer funds from the
 4 University of Hawaii tuition and fees special fund into the
 5 scholarship and assistance special fund established pursuant to
 6 section [H]304A-2159[H]."

7 SECTION 2. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

9 SECTION 3. This Act shall take effect on July 1, 2013.

10

INTRODUCED BY: ~~SEN. D.C. RICHARDS~~
Ronald H. Berk
Alan Gosh
Steve McCandless



Report Title:

University of Hawaii; Tuition; Expenditures

Description:

Specifies that not more than ten per cent of the moneys deposited into the University of Hawaii tuition and fees special fund shall be expended on administrative costs of the University of Hawaii, and the remainder of the moneys shall be expended on student education programs of the University of Hawaii.

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