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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. Section 37-74, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3 "(d) No appropriation transfers or changes between  
4 programs or agencies shall be made without legislative  
5 authorization; provided that:

6 (1) Authorized transfers or changes, when made, shall be  
7 reported to the legislature;

8 (2) Except with respect to appropriations to fund  
9 financing agreements under chapter 37D, the University  
10 of Hawaii shall have the flexibility to transfer  
11 appropriated funds and positions for the operating  
12 cost category among programs, among cost elements in a  
13 program, and between quarters, as applicable; except  
14 with respect to appropriations to fund financing  
15 agreements under chapter 37D, the department of  
16 education shall have the flexibility to transfer  
17 appropriated funds and positions for the operating  
18 cost category among programs and among cost elements



1 in a program, and between quarters, as applicable; and  
2 the Hawaii health systems corporation and its regional  
3 system boards shall have the flexibility to transfer  
4 special fund appropriations among regional system  
5 hospital facilities as applicable and as mutually  
6 agreed to by the corporation and the respective  
7 regional system board; provided that the Hawaii health  
8 systems corporation and the regional system boards  
9 shall maintain the integrity and services of each  
10 individual regional system and shall not transfer  
11 appropriations out of any regional system that would  
12 result in a reduction of services offered by the  
13 regional system, with due regard for statutory  
14 requirements, changing conditions, the needs of the  
15 programs, and the effective utilization of resources;  
16 and

17 (3) The [~~university and the~~] department of education shall  
18 account for each transfer implemented under this  
19 subsection in quarterly reports to the governor and  
20 annual reports at the end of each fiscal year to the  
21 legislature and the governor, which shall be prepared  
22 in the form and manner prescribed by the governor and



1 shall include information on the sources and uses of  
2 the transfer."

3 SECTION 2. Section 304A-106, Hawaii Revised Statutes, is  
4 amended by amending subsection (c) to read as follows:

5 "(c) The board of regents shall cause to be kept suitable  
6 books of account wherein shall be recorded each gift, the  
7 essential facts of the management thereof, and the expenditure  
8 of the income. [~~A statement of all trust funds shall be~~  
9 ~~included in the annual report to the governor and the~~  
10 ~~legislature.]"~~

11 SECTION 3. Section 304A-2159, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "[+]§304A-2159[+] **University of Hawaii scholarship and**  
14 **assistance special fund.** (a) There is established the  
15 University of Hawaii scholarship and assistance special fund to  
16 be administered by the University of Hawaii. The special fund  
17 shall be administered pursuant to the authority of the board of  
18 regents to grant, modify, or suspend the scholarship and  
19 assistance under section [+]304A-501[+]. [~~This~~] The University  
20 of Hawaii scholarship and assistance special fund shall be used  
21 to provide financial assistance to qualified students enrolled  
22 at any campus of the University of Hawaii.



1 (b) Revenues deposited into this fund shall include but  
2 not be limited to state, federal, and private funds, funds  
3 transferred by the university from the tuition and fees special  
4 fund pursuant to section [†]304A-2153[†], and appropriations for  
5 the state scholars program; provided that state funds  
6 appropriated for any scholarship program, including but not  
7 limited to the B Plus scholarship program, the Hawaii state  
8 scholars program, and the workforce development scholarship  
9 program, shall be kept in a separate and distinct account.

10 ~~[(c) The annual report for the special fund shall include~~  
11 ~~but not be limited to the number of tuition waivers,~~  
12 ~~scholarships, and stipends. The report shall also include but~~  
13 ~~not be limited to the number of tuition waivers granted under~~  
14 ~~section [304A-503] through the Hawaii opportunity program in~~  
15 ~~education. The report shall also include recommendations as~~  
16 ~~appropriate to the legislature on all tuition waivers.~~

17 ~~(d) This~~ (c) The University of Hawaii scholarship and  
18 assistance special fund is not intended to provide loans or keep  
19 track of payback provisions."

20 SECTION 4. Section 304A-2273, Hawaii Revised Statutes, is  
21 amended to read as follows:



1           "~~§~~304A-2273~~§~~ Community college conference center  
2 revolving fund. ~~(a)~~ There is established the community  
3 college conference center revolving fund for conference center  
4 programs conducted by the various community colleges. All fees,  
5 charges, and other moneys collected in conjunction with the  
6 conference center program of each community college shall be  
7 deposited in separate accounts within the revolving fund. The  
8 chancellor of each community college or a designee is authorized  
9 to expend funds from the appropriate account in the revolving  
10 fund for all costs associated with conducting conferences,  
11 seminars, and courses by the conference center program,  
12 including but not limited to expenses for honoraria, hotel and  
13 room rentals, food and refreshment, printing and mailing,  
14 airfare and per diem, leis, rental of audiovisual equipment, and  
15 conference supplies and materials, without regard to section  
16 103D-1002 and any competitive bidding requirements pursuant to  
17 state procurement requirements.

18           ~~[(b) The chancellors of the community colleges shall  
19 prepare an annual report to the legislature accounting for all  
20 income and expenditures of each separate account within the  
21 revolving fund.]"~~



1 SECTION 5. Section 304A-3205, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~[-]~~§304A-3205~~[+]~~ **Expenditures; reports.** Expenditures by  
4 the commission, including the amounts fixed annually as the  
5 equal contribution of each member to the compact, shall be made  
6 upon warrants issued by the state comptroller based upon  
7 vouchers approved by any one of the commissioners. A report of  
8 the activities and expenses of the commissioners and a proposed  
9 program for the State's continuing participation in the  
10 activities of the Western Interstate Commission for Higher  
11 Education, including a budget request, shall be submitted by the  
12 commissioners to the legislature ~~[for]~~ each regular legislative  
13 session~~[-]~~ in an odd-numbered year."

14 SECTION 6. Section 304A-1004, Hawaii Revised Statutes, is  
15 repealed.

16 "~~[-]~~§304A-1004~~[+]~~ ~~Annual report; executive, managerial, and~~  
17 ~~faculty salaries.~~ The board of regents shall submit an annual  
18 report to the legislature containing the salaries paid to all  
19 executive, managerial, and faculty members of the university,  
20 including that paid to the president of the university, not  
21 fewer than twenty days prior to the convening of each regular  
22 session."



1 SECTION 7. Section 304A-1144, Hawaii Revised Statutes, is  
2 repealed.

3 ~~["**§304A-1144** Annual report. The office of the vice~~  
4 ~~president for community colleges shall prepare an annual report~~  
5 ~~to the legislature on the status of the program. This annual~~  
6 ~~report shall include data on the development of the construction~~  
7 ~~academy curriculum and content, teaching standards throughout~~  
8 ~~the system, and overall achievement. The annual report shall be~~  
9 ~~submitted no later than twenty days prior to the convening of~~  
10 ~~each regular legislative session."]~~

11 SECTION 8. Section 304A-2689, Hawaii Revised Statutes, is  
12 repealed.

13 ~~["**§304A-2689** Annual report. The University of Hawaii~~  
14 ~~shall submit a report to the legislature, no later than twenty~~  
15 ~~days prior to the convening of each regular session, of all~~  
16 ~~revenue bonds issued pursuant to this subpart. The report shall~~  
17 ~~provide a summary of all revenue bonds issued pursuant to this~~  
18 ~~subpart during the preceding fiscal year."]~~

19 SECTION 9. Section 304A-3305, Hawaii Revised Statutes, is  
20 repealed.

21 ~~["**§304A-3305** Annual report. The University of Hawaii~~  
22 ~~shall publish a report by September 1, 2006, and every year~~



1 ~~thereafter. The report shall include information regarding the~~  
2 ~~operation of the program, including:~~

3 ~~(1) The total number of students receiving nursing~~  
4 ~~scholarship grants;~~

5 ~~(2) The total amount of scholarship grants awarded;~~

6 ~~(3) The number of full-time and part-time graduate~~  
7 ~~students receiving scholarship grants, reported~~  
8 ~~according to institution of enrollment;~~

9 ~~(4) The amount of scholarship grants awarded to graduate~~  
10 ~~students, reported according to institution of~~  
11 ~~enrollment; and~~

12 ~~(5) The total number of graduate students who withdraw~~  
13 ~~from the program.~~

14 ~~(b) The annual report shall be submitted to the governor~~  
15 ~~and the legislature no later than twenty days prior to the~~  
16 ~~convening of each regular session." ]~~

17 SECTION 10. Act 188, Session Laws of Hawaii 2008, is  
18 amended by repealing section 2.

19 [ "~~SECTION 2. (a) The University of Hawaii shall prepare~~  
20 ~~and provide to the legislature an annual incentive and~~  
21 ~~performance report and plan in November of each year beginning~~  
22 ~~in 2008. A major purpose of the annual incentive and~~





1 ~~performance report and plan is to assist the legislature in~~  
2 ~~appropriating up to two per cent of the University of Hawaii's~~  
3 ~~annual budget to facilitate the university's strategic plan and~~  
4 ~~related state goals.~~

5 ~~(b) The 2008 incentive and performance report and plan~~  
6 ~~shall present University of Hawaii and state workforce~~  
7 ~~quantitative information that form the baseline data for future~~  
8 ~~comparisons. The university shall include at least the~~  
9 ~~following baseline data for the past five years by program,~~  
10 ~~department, campus, and university:~~

- 11 ~~(1) The number of full-time equivalent students;~~  
12 ~~(2) The number of students who have transferred to other~~  
13 ~~institutions of higher education within the University~~  
14 ~~of Hawaii system;~~  
15 ~~(3) The number of students who have graduated;~~  
16 ~~(4) The number of full-time equivalent faculty;~~  
17 ~~(5) The number of openings in major workforce shortage~~  
18 ~~areas, including but not limited to teaching, nursing,~~  
19 ~~and technology, as data are available through the~~  
20 ~~department of labor and industrial relations or~~  
21 ~~similar sources; and~~



1       ~~(6) The number of graduates filling job openings in major~~  
2               ~~workforce shortage areas, as data are available.~~

3       ~~The report shall also include a project plan of the same data~~  
4       ~~for the upcoming five years.~~

5       ~~(c) Beginning in 2009, the incentive and performance~~  
6       ~~report and plan shall continue to provide the quantitative data,~~  
7       ~~as well as a qualitative data analysis of the success of the~~  
8       ~~endeavors to enroll, transfer, and graduate students and how~~  
9       ~~this objective is matching the university's strategic plan and~~  
10       ~~the state's workforce needs. The allocation of up to two per~~  
11       ~~cent of incentive and performance funds shall be based on these~~  
12       ~~results.~~

13       ~~(d) The University of Hawaii shall include within its~~  
14       ~~strategic plan measurable goals and performance data.~~

15       ~~(e) The University of Hawaii shall collect and maintain~~  
16       ~~benchmark data in keeping with section 304A-2001, Hawaii Revised~~  
17       ~~Statutes.~~

18       ~~(f) The annual incentive and performance report shall~~  
19       ~~describe the success of previous incentive and performance plans~~  
20       ~~by analyzing the outcome performance measures in relation to~~  
21       ~~plan goals. The report shall also propose the following year's~~  
22       ~~incentive and performance plan, including identifying the goals,~~



1 ~~performance outcome measures, and sources of funding, which may~~  
2 ~~include new general fund appropriations, reallocated existing~~  
3 ~~general fund appropriations, and other sources of funding~~  
4 ~~available to the university. Data appropriate to the individual~~  
5 ~~performance measure shall be provided in the annual report."]~~

6 SECTION 11. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 12. This Act shall take effect on July 1, 2050.



**Report Title:**

University of Hawaii; Reports

**Description:**

Repeals certain UH reports to the legislature. Makes western regional education compact report to legislature biennial, to be submitted in each odd-numbered year. Repeals section 2, Act 188, Session Laws of Hawaii 2008, relating to annual incentive and performance reports. 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.*

