

JAN 25 2023

A BILL FOR AN ACT

RELATING TO THE OFFICE OF YOUTH SERVICES.

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

1 SECTION 1. Chapter 352D, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§352D- Office of youth services revolving fund. (a)

5 There is established the office of youth services revolving fund
6 to be administered and expended by the office, into which shall
7 be deposited:

8 (1) All moneys collected from the sale of goods and
9 services by commercial enterprise vocational programs
10 undertaken by the office; and

11 (2) Appropriations made by the legislature to the fund.

12 (b) The moneys in the revolving fund shall be used for the
13 purposes of vocational programs within the office as determined
14 by the office.

15 §352D- Commercial enterprise vocational programs. (a)

16 The office of youth services may create, develop, and operate
17 commercial enterprise vocational programs.

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1 (b) Each commercial enterprise vocational program, in
2 consultation with the office, shall determine the prices at
3 which all goods and services are sold. The prices shall be as
4 near to the prevailing market prices for similar goods and
5 services as practicable.

6 (c) Notwithstanding any law to the contrary, the
7 commercial enterprise vocational programs may market and sell
8 goods and services to both the public and private sectors.

9 (d) Each commercial enterprise vocational program, in
10 consultation with the office, shall ensure that the quality of
11 goods and services produced is comparable to similar goods and
12 services available from the private sector. For sales to the
13 State or the counties, the quality of the goods or services
14 shall be consistent with the specifications for the goods or
15 services requested.

16 (e) Notwithstanding any law to the contrary, the office
17 may provide remuneration to young adults who participate in
18 commercial enterprise vocational programs; provided that the
19 young adults shall not be considered employees of the State."

20 SECTION 2. Section 352D-3, Hawaii Revised Statutes, is
21 amended as follows:

22 (1) By adding a new definition to be appropriately
23 inserted and to read as follows:

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1 "Commercial enterprise vocational program" means a
2 vocational program, for young adults only, that engages in the
3 activity of providing goods and services for purposes of
4 developing job skills and promoting self-sufficiency."

5 (2) By amending the definition of "young adult at risk" or
6 "young adult" to read as follows:

7 ""Young adult at risk" or "young adult" means any adult
8 between the ages of eighteen and twenty-four years old who has
9 been arrested, or who has had contact with the police, or who is
10 experiencing social, emotional, psychological, educational, or
11 physical problems [~~, and who is no longer eligible for child~~
12 ~~protective services provided by the State due to the adult's~~
13 ~~age]."~~

14 SECTION 3. Section 352D-4, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§352D-4 Establishment; purpose.** There is established
17 within the department of human services for administrative
18 purposes only the office of youth services. The office of youth
19 services is established to provide services and programs for
20 youth at risk under one umbrella agency in order to facilitate
21 optimum service delivery, to prevent delinquency, and to reduce
22 the incidence of recidivism among juveniles through the
23 provision of prevention, rehabilitation, and treatment

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1 services. The office shall also be responsible for program
2 planning and development, intake/assessment, oversight, as well
3 as consultation, technical assistance, and staff training
4 relating to the delivery of services.

5 The office shall provide a continuum of services as
6 follows:

- 7 (1) An integrated intake/assessment and case management
8 system;
- 9 (2) The necessary educational, vocational, social
10 counseling and mental health services; provided that
11 the department of education shall be the only provider
12 of standards-based education services for all youth at
13 risk and young adults identified with special
14 education needs or actively receiving special
15 education services, in accordance with the Individuals
16 with Disabilities Education Act (20 U.S.C. 1400 et
17 seq.) and all applicable federal and state educational
18 requirements;
- 19 (3) Community-based shelter and residential facilities;
- 20 (4) Oversight of youth services; ~~and~~
- 21 (5) Commercial enterprise vocational programs for young
22 adults only; and

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1 [~~5~~] (6) Other programs that encourage the development of
2 positive self-images and useful skills in youth~~[-]~~ at
3 risk and young adults.

4 The executive director of the office of youth services
5 shall submit annual reports to the legislature no later than
6 twenty days prior to the convening of each regular session,
7 reporting the services or programs funded pursuant to this
8 section, the number of youth at risk and young adults served by
9 each service or program, and the results of the services or
10 programs funded.

11 To this end, on July 1, 1991, this office shall assume the
12 responsibilities for juvenile corrections functions, which were
13 temporarily placed in the department of corrections pursuant to
14 Act 338, Session Laws of Hawaii 1987. These functions shall
15 include but not be limited to all responsibilities, under
16 chapter 352, for the Hawaii youth correctional facilities."

17 SECTION 4. Statutory material to be repealed is
18 bracketed and stricken. New statutory material is underscored.

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

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INTRODUCED BY: 

BY REQUEST

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Report Title:

Office of Youth Services Revolving Fund; Commercial Enterprise Vocational Programs

Description:

Permits commercial enterprise vocational programs for young adults within the purview of the Office of Youth Services to market and sell goods and services that develop job readiness skills that lead to self-sufficiency. Establishes the Office of Youth Services Revolving Fund. Adds a definition of "commercial enterprise vocational programs" and clarifies the definition of "young adult at risk" or "young adult."

JUSTIFICATION SHEET

DEPARTMENT: Department of Human Services

TITLE: A BILL FOR AN ACT RELATING TO THE OFFICE OF YOUTH SERVICES.

PURPOSE: To provide young adults at risk with the necessary job skills to become productive and employed community members through commercial enterprise vocational programs. This bill would authorize commercial enterprise vocational programs within the Office of Youth Services (OYS) to market and sell goods and services. Commercial enterprise vocational programs will include the sale of goods and services produced by the young adults engaged in programs that promote job readiness and self-sufficiency for young adults at risk as defined in section 352D-3, Hawaii Revised Statutes (HRS).

The bill would also authorize OYS to provide remuneration to young adults participating in commercial enterprise vocational programs.

This bill will create the Office of Youth Services Revolving Fund within OYS to receive revenue from commercial enterprise vocational programs.

The bill also adds the definition of "commercial enterprise vocational programs." In addition, it clarifies the definition of "young adult at risk" or "young adult."

MEANS: Add two new sections to chapter 352D, HRS, and amend sections 352D-3 and 352D-4, HRS.

JUSTIFICATION: Over 15,000 young adults ages eighteen through twenty-four years in Hawaii are neither employed nor in school, resulting in a lifetime State expenditure of \$6.5 billion in lost wages and costs.

This bill will help OYS fulfill its requirements under section 352D-4, HRS, by authorizing it to provide vocational training services for young adults. In addition, it will allow vocational programs under the purview of OYS to market and sell goods and services promoting job readiness and self-sufficiency.

The vocational programs will also support the Connect 2 Careers partnership that aims to build, measure, and scale high-quality work-based learning experiences that align with local, county, and state economic and labor market needs. This measure will enhance the rigor and relevance of work-based learning as young adults engage in comprehensive, real-world, immersive experiences. For example, vocational programs may include agricultural programs such as animal husbandry and raising vegetables.

Act 169, Session Laws of Hawaii 2018, consists of a similar law on behalf of the Department of Education that authorizes individual departments, career pathways, or programs to engage in commercial enterprise by the sale of goods and services produced by or for the programs to generate funding for the program.

Impact on the public: There will be positive impacts in that once the programs generate revenue, it will reduce the general funds required for OYS programming while supporting young adults to enter the workforce and become self-sufficient. The agricultural vocational programs also add to the State's plan to become more self-reliant and provide our citizens with locally produced products.

Impact on the department and other agencies: OYS will require additional

resources to manage the revolving fund, which will also impact the DHS fiscal management office that provides support to OYS. On the other hand, the revolving fund may stabilize funding for vocational programs at OYS. The additional revolving fund may impact the Department of Budget and Finance. There is no immediate impact on other agencies.

GENERAL FUNDS: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HMS 501.

OTHER AFFECTED
AGENCIES: Department of Budget and Finance.

EFFECTIVE DATE: Upon approval.