

ACT 71

H. B. 444.

A Bill for an Act Relating to Vocational Education.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency measure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Senate Concurrent Resolution No. 43 of the 1967 General Session requested the University of Hawaii, the Department of Education and the Commission on Manpower and Full Employment to develop a comprehensive master plan for vocational education in Hawaii. After much thought and study by knowledgeable citizens and in compliance with the concurrent resolution, a publication entitled: *A State Master Plan for Vocational Education*, was transmitted to the Fourth State Legislature, Budget Session of 1968. Among the recommendations made in the report are the following: (1) that the board of regents be designated as the board of vocational education; (2) that an official coordinating advisory council be established; and (3) that the administration of the training portion of the Manpower Development and Training Act, presently administered by the Department of Education, be transferred to the community college system. The recommendations were made to improve vocational education and training and it is urgent and in the public interest that the structural and functional recommendations be implemented at the earliest time.

SECTION 2. **Declaration of purpose.** The purpose of this Act is to effect certain changes in the jurisdiction with respect to and administration of vocational education in Hawaii. This is a reorganization not intended to diminish the existing vocational education training programs but a reorganization to serve as a means of improving such programs and of achieving meaningful articulation of the secondary level vocational education and the community college system.

SECTION 3. Sections 42-20, 42-21, 42-22, and 42-25, Revised Laws of Hawaii 1955, are repealed in their entirety.

SECTION 4. Chapter 44 of the Revised Laws of Hawaii 1955 is amended by adding thereto the following sections:

“Sec. 44- . **Acceptance of federal aid.** The State accepts, together with the benefits of all respective funds appropriated thereby, all of the provisions of the Act of Congress approved February 23, 1917, entitled: “An Act to provide for the promotion of vocational education; to provide for cooperation with the states in the promotion of such education in agriculture,

trade and industries; to provide for the cooperation of the States in the preparation of teachers of vocational subject; and to appropriate money and regulate its expenditure" and any acts which amend or supplement the Act.

Sec. 44- . **State board for vocational education.** The board of regents of the University of Hawaii is designated as the state board for vocational education. The chairman of the board of regents is designated as the chairman of the board for vocational education and the president of the University of Hawaii, its administrative officer.

Sec. 44- . **Board's power and authority.** The board may cooperate with the United States Department of Health, Education and Welfare in the administration of the provisions of the Acts of Congress mentioned in section 44- , and do all things necessary to entitle the State to receive the benefits of each of the respective funds appropriated by such Acts; represent the State in any and all matters arising out of or connected with the administration of such Acts of Congress insofar as the same shall apply to the State; represent the State in any or all matters in reference to the expenditure, distribution, and disbursements of moneys received from such acts; designate such colleges, schools, departments or classes as may be entitled to participate in the benefits of moneys received from the appropriations made in such Acts as in its judgment and discretion will best subserve the interests of vocational education in the State and carry out the spirit, purposes, and provisions of such Acts of Congress; establish and determine by general regulations, the qualifications to be possessed by persons teaching agricultural, trade, industrial, and home economics subjects in the colleges or schools coming under the provisions of such Acts of Congress in the State; and enforce rules and regulations concerning the granting of certificates and licenses to such teachers and to certificate such teachers. The board may delegate some of its responsibilities relating to the establishment of qualifications for and certification or licensing of vocational teachers. The board shall make an annual report to the governor describing the conditions and progress of vocational education during the year and include therein an itemized statement showing the receipts and expenditures of all moneys used in connection with such education.

Sec. 44- . **Vocational education coordinating advisory council.** There is established a vocational education coordinating advisory council which shall serve in an advisory capacity to the board of regents. The council shall consist of eleven members, nine appointed and two ex officio voting members. Of the nine appointed members, three shall be appointed from the board of regents of the University of Hawaii by the chairman of that body, three shall be appointed from the board of education by the chairman of that body, and three shall be appointed from the state commission on manpower and full employment by the chairman of that body. Of the three members appointed from the commission on manpower and full employment, one member shall represent management, one member shall represent labor, and the third shall represent the public. Of the two ex officio members one shall be

the vice president for community colleges and the other shall be the superintendent of education.

Of the three members first appointed by each appointing authority, other than the chairman of the board of education, one shall be appointed for two years, one shall be appointed for three years, and one shall be appointed for four years. In the case of the members appointed from the board of education, the terms of such members shall be for their remaining terms as members of the board of education. Upon the expiration of the terms of the first members, their successors shall serve for a term of four years. Vacancies shall be filled by the appropriate appointing authority for the unexpired term.

The council shall elect a chairman and such other officers as it deems necessary. Section 7-26 shall apply. The members of the council shall serve without pay but shall be entitled to their traveling expenses within the State when attending meetings of the council or when actually engaged in business relating to the work of the council."

SECTION 5. Section 2 of Act 11, Session Laws of Hawaii 1964, as amended by Act 23, Session Laws of Hawaii 1965, is amended to read as follows:

"Section 2. The Department of Labor and Industrial Relations and the University of Hawaii are authorized to participate in the Manpower Development and Training Act of 1962, as amended, by providing from funds appropriated by the legislature for such purpose, in accordance with and to the extent required by the Federal Act, amounts necessary to match the amounts expended by the United States Treasury."

SECTION 6. The University of Hawaii shall succeed to all of the rights, powers, records, equipment, appropriation, or other property, and all of the duties and obligations incurred by the department of education in the exercise of the functions transferred by section 4 of this Act, whether such powers, duties, records, equipment, appropriation, other property or obligations are mentioned in or granted by any law, contract, or other document. All references in any such law, contract, or document to the Department of Education in connection with the function transferred under section 4 of this Act shall apply to the University of Hawaii as if it were specifically named in such law, contract, or document in place of the Department of Education.

All officers and employees whose functions are transferred by this Act shall be transferred with their functions to the University of Hawaii and shall continue to perform their regular duties upon the transfer. No employee of the State shall suffer any loss of salary, seniority, prior service credit, vacation, sick leave, or other employee benefit or privilege as a consequence of this Act.

SECTION 7. This Act shall take effect upon its approval.

(Approved May 10, 1968).