

A Bill for an Act Relating to Education.

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

SECTION 1. Section 202-2, Hawaii Revised Statutes, is amended to read as follows:

“§202-2 **Duties of council.** The workforce development council shall:

- (1) Prepare and update periodically a comprehensive state plan for workforce development with measurable outcomes;
- (2) Review and assess the coordination between the State’s workforce development programs, including programs of the federal government operating in the State, and economic development and diversification; and consider:
 - (A) The State’s employment and training requirements and resources;
 - (B) Practices of employers and unions that impede or facilitate the mobility of workers; and
 - (C) The special problems of untrained and inexperienced youth, immigrants, persons with disabilities, welfare clients, single parents, disadvantaged minorities, and other groups facing barriers in the labor force;
- (3) Serve as an information clearinghouse for all workforce development programs in the State, including workforce training and education programs;
- (4) Analyze and interpret workforce information, particularly changes which are likely to occur during the next ten years; the specific industries, occupations, and geographic areas which are most likely to be involved; and the social and economic effects of these developments on the State’s economy, labor force, communities, families, social structure, and human values;
- (5) Define those areas of unmet workforce and economic development needs and describe how private and public agencies can coordinate their efforts and collaborate with each other to address those needs;
- (6) Recommend to the governor and the legislature, state policies and funding priorities based on local community input that it believes should be adopted by the state government in meeting its workforce development responsibilities to:
 - (A) Establish a workforce development system in the State in which resources are pooled and programs are coordinated and streamlined;
 - (B) Encourage a program of useful research into the State’s workforce requirements, development, and utilization; and
 - (C) Support recommended workforce policies that promote economic development, diversification, and well-being of the people in this State;

provided that the duties and responsibilities of the workforce development council shall not impinge on the constitutional and statutory authority of the board of regents and the board of education, and the statutory authority of the state board for [vocational] career and technical education;

- (7) Create public awareness and understanding of the State's workforce development plans, policies, programs, and activities, and promoting them as economic investments;
- (8) Submit reports of its activities and recommendations to the governor and the legislature at least once a year;
- (9) Evaluate the state workforce development plan in terms of how its purposes, goals, and objectives have been carried out throughout the State;
- (10) Provide technical assistance to local workforce development boards and other similar organizations;
- (11) Carry out required functions and duties related to workforce development of any advisory body required or made optional by federal legislation, including the Job Training Partnership Act of 1982, as amended, and the Wagner-Peyser Act of 1933, as amended;
- (12) In accordance with the federal Workforce Investment Act of 1998, Public Law 105-220, assist the governor in the following functions:
 - (A) The development of the State's plan for the use of federal workforce investment funds, which is required under Public Law 105-220;
 - (B) The development and continuous improvement of the statewide and local workforce investment systems described in subtitle B of Public Law 105-220, and the one-stop delivery systems described in section 134(c) of Public Law 105-220, including:
 - (i) The development of linkages referred to in Public Law 105-220, to assure coordination and non-duplication among the programs and activities in section 121(b) of Public Law 105-220; and
 - (ii) The review of plans prepared by local workforce investment boards for the use of federal workforce investment funds which is required under Public Law 105-220;
 - (C) Commenting at least once annually on the measures taken pursuant to section 122(c)(16) of the Carl D. Perkins Vocational and [Applied Technology] Technical Education Amendments of 1998, Public Law 105-332;
 - (D) The designation of local areas as required in section 116 of Public Law 105-220;
 - (E) The development of allocation formulas for the distribution of funds for adult employment and training activities and youth activities to local areas as permitted under sections 128(b)(3)(B)(i) and 133(b)(3)(B)(i) of Public Law 105-220;
 - (F) The development and continuous improvement of comprehensive state performance measures, including state-adjusted levels of performance, to assess the effectiveness of the workforce investment activities in the State as required under section 136(b)(1) of Public Law 105-220;
 - (G) The preparation of the annual report to the United States Secretary of Labor described in section 136(d)(1) of Public Law 105-220;
 - (H) The development of the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act; and
 - (I) The development of an application for an incentive grant under section 503 of Public Law 105-220; and
- (13) Act as the designated state entity to conduct activities relating to occupational and employment information for vocational and technical

education programs in compliance with section 118 [of] the Carl D. Perkins Vocational and [Applied Technology] Technical Education Amendments of 1998, Public Law 105-332.”

SECTION 2. Chapter 305A, Hawaii Revised Statutes, is amended as follows:

1. By amending its title to read:

**“[[CHAPTER 305A
[VOCATIONAL] CAREER AND TECHNICAL EDUCATION UNDER
FEDERAL
AID]]”**

2. By amending sections 305A-2 to 305A-4 to read:

“[[§305A-2]] State board for [vocational] career and technical education. The board of regents of the University of Hawaii is designated as the state board for [vocational] career and technical education. The chairperson of the board of regents is designated as the chairperson of the board for [vocational] career and technical education and the president of the University of Hawaii, its administrative officer.

[[§305A-3]] 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 305A-1, 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] career and technical 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] career and technical teachers. The board shall make an annual report to the governor describing the conditions and progress of [vocational] career and technical education during the year and include therein an itemized statement showing the receipts and expenditures of all moneys used in connection with such education.

§305A-4 [Vocational] Career and technical education coordinating advisory council. There is established a [vocational] career and technical 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:

- (1) Three shall be appointed from the board of regents of the University of Hawaii by the chairperson of that body;

- (2) Three shall be appointed from the board of education by the chairperson of that body; and
- (3) Three shall be appointed from the workforce development council by that council.

Of the three members appointed from the workforce development council, 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 president of the University of Hawaii and the other shall be the superintendent of education.

Of the three members first appointed by each appointing authority, other than the chairperson 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 chairperson and such other officers as it deems necessary. Section 92-15 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 3. Section 373C-11, Hawaii Revised Statutes, is amended to read as follows:

“§373C-11 Occupational information coordinating committee, establishment. The Hawaii state occupational information coordinating committee is established and shall be composed of representation from at least the state board for [vocational] career and technical education, the department of labor and industrial relations, the state employment and training council, the state vocational rehabilitation agency, the department of education, and the University of Hawaii. Membership shall not be restricted to these agencies, but shall not exceed twenty-five members with one member per agency. Members shall be appointed by the administrators or directors of these agencies. The committee shall be placed in the department of labor and industrial relations for administrative purposes only.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 26, 2000.)