

---

---

# 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. Chapter 78, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated to read  
3 as follows:

4 "§78- Department of transportation; civil engineering  
5 scholarship program. (a) The department of transportation may  
6 establish a civil engineering scholarship program open to high  
7 school graduates of accredited high schools in Hawaii, or high  
8 school graduates who are residents of Hawaii and who have  
9 successfully completed a high school pre-college curriculum.  
10 The department of transportation, highways division, shall  
11 establish, without regard to chapter 91, the criteria and  
12 guidelines for the scholarship program that shall include but  
13 not be limited to the qualification requirements, conditions for  
14 the scholarship, reimbursement provisions, and alternate options  
15 in which a scholarship participant may participate to otherwise  
16 fulfill their employment obligation under a scholarship  
17 agreement, if the participant is not hired by the department of  
18 transportation, highways division.



1        (b) The tuition component amount of a civil engineering  
2 scholarship award shall be limited to the resident tuition cost  
3 of the University of Hawaii at Manoa.

4        (c) Students awarded scholarships shall agree by contract,  
5 with the written approval of a parent or guardian when the  
6 applicant is under eighteen years of age, to apply for full-time  
7 civil service employment with the department of transportation,  
8 highways division, immediately after graduation from an  
9 accredited civil engineering program at the University of Hawaii  
10 and, accept any position offered, and if hired, complete one  
11 year of full-time employment with the department of  
12 transportation, highways division, for each school year in the  
13 scholarship program. A participant who fails to:

14        (1) Graduate from an accredited civil engineering program  
15        at the University of Hawaii; or

16        (2) Apply for employment with the department of  
17        transportation, highways division, immediately upon  
18        graduation as provided in this subsection or in  
19        subsection (f); or

20        (3) Accept any position offered by the department of  
21        transportation, highways division,



1 shall reimburse the department of transportation, highways  
2 division, the full amount of moneys received.

3 (d) A participant who leaves the department of  
4 transportation, highways division, before completing the  
5 required number of years of employment shall reimburse the  
6 department of transportation, highways division, the full amount  
7 of scholarship moneys received by the participant for each year  
8 of scholarship that corresponds to each year for which the  
9 participant fails to complete the employment requirement.

10 (e) Summer employment may be offered by the department of  
11 transportation, highways division, to scholarship students. The  
12 department of transportation, highways division, shall establish  
13 guidelines to effectuate this subsection.

14 (f) The department of transportation's guidelines for this  
15 program will address situations where participants may wish to  
16 postpone their work commitment to pursue a masters degree in  
17 civil engineering."

18 SECTION 2. Chapter 304, Hawaii Revised Statutes, is  
19 amended by adding a new section to be appropriately designated  
20 and to read as follows:

21 "§304- Hawaii state scholars program. (a) There is  
22 established the Hawaii state scholars program to be administered



1 by the University of Hawaii. This program shall be used to  
2 provide financial assistance in the form of scholarships for up  
3 to four years to any qualified student enrolled at any campus of  
4 the University of Hawaii with the possibility of renewal for a  
5 fifth year in exceptional circumstances.

6 (b) Appropriations for the state scholars program shall be  
7 deposited into the University of Hawaii student scholarship and  
8 assistance special fund established pursuant to section  
9 304-16.6. The number of scholarships awarded and amount of each  
10 scholarship shall be determined by the university and subject to  
11 the availability of funds.

12 The University of Hawaii shall offer scholarships to pay  
13 for educational costs, such as tuition, fees, books, housing,  
14 and other educational costs; provided that the scholarship  
15 applicant:

16 (1) Is a bona fide resident of the State of Hawaii, for  
17 tuition purposes, at the time of admission to the  
18 university;

19 (2) Presents evidence of academic excellence by meeting  
20 one or more of the following:



1           (A) Graduation from a public or private high school  
2           in the State of Hawaii as a valedictorian of the  
3           applicant's class;

4           (B) Has a cumulative high school grade point average  
5           of 4.0 as determined for admission to the  
6           university; or

7           (C) Has achieved a test score on a standardized  
8           college admission test recognized and accepted by  
9           the university for admission consideration, such  
10           as SAT or ACT, that places the student among the  
11           top ten percentile of students taking the test  
12           nationwide;

13           (3) Enrolls at a University of Hawaii system campus within  
14           eighteen months of graduating from high school; and

15           (4) Maintains satisfactory progress toward degree  
16           completion and a cumulative 3.0 grade point average."

17           SECTION 3. Chapter 304, Hawaii Revised Statutes, is  
18           amended by adding a new section to be appropriately designated  
19           and to read as follows:

20           "§304- State eminent scholars special fund. (a) There  
21           is established a state eminent scholars special fund, into which  
22           shall be deposited appropriations made by the state legislature



1 and matching private donations. The fund shall be used as a  
2 funding mechanism to create new endowed faculty positions funded  
3 by a combination of state and private funds. The board of  
4 regents shall adopt rules as necessary to establish this  
5 program. No state appropriations deposited into the fund shall  
6 be expended unless matched by private funds on a dollar-for-  
7 dollar basis.

8 (b) To be eligible for state matching funds, a University  
9 of Hawaii campus chancellor shall submit a proposal for each  
10 proposed endowed chair to the president of the University of  
11 Hawaii for review and consideration. The president of the  
12 University of Hawaii shall take into account the following  
13 criteria before approving state matching funds to establish a  
14 position and recruit candidates:

- 15 (1) The ability for the position to contribute to Hawaii's  
16 economic development;  
17 (2) The ability for the position to make a significant  
18 contribution to the university's academic quality; and  
19 (3) The ability for the position to obtain significant  
20 amounts of annual research from highly competitive  
21 grant sources.



1        (c) The review process shall consider the field and its  
2 potential funding sources, relationship to existing research at  
3 the University of Hawaii and in the State of Hawaii, size and  
4 scope of related industries, and other relevant factors.

5        (d) The University of Hawaii shall prepare and submit an  
6 annual report on the status of the eminent scholars special fund  
7 to the legislature at least twenty days before the convening of  
8 each regular session."

9        SECTION 4. Chapter 304, Hawaii Revised Statutes, is  
10 amended by adding a new section to be appropriately designated  
11 and to read as follows:

12        **"§304-        Public interest law loan repayment program;**  
13 **special fund; established.**    (a) As used in this section:

14        "Administrator" means an assistant or associate dean of the  
15 William S. Richardson school of law of the University of Hawaii,  
16 in consultation with the dean of the William S. Richardson  
17 school of law of the University of Hawaii.

18        "Advisory committee" means the committee responsible for  
19 proposing policy and guideline recommendations for approval by  
20 the administrator.

21        "Eligible loans" means all need-based federal, university,  
22 and educational loans incurred during the recipient's law school



1 education that are not eligible for forgiveness or repayment  
2 assistance through another source. These loans include those  
3 owed to government sources, commercial lending institutions, or  
4 educational institutions, which are used to cover law school  
5 tuition and other reasonable expenses associated directly with  
6 the costs of education, such as books, equipment, fees, room and  
7 board, and other expenses determined by the administrator.  
8 Educational loans extended by a private individual or family  
9 member are not considered eligible loans for the purposes of  
10 this section.

11 (b) There shall be established a public interest law loan  
12 repayment program to be:

- 13 (1) Maintained by the William S. Richardson school of law  
14 of the University of Hawaii; and  
15 (2) Administered by the administrator.

16 (c) To be considered for loan repayment assistance under  
17 the public interest law loan repayment program, an attorney  
18 shall:

- 19 (1) Have graduated from the William S. Richardson school  
20 of law of the University of Hawaii;  
21 (2) Be licensed to practice law in the state under chapter  
22 605; and





- 1        (3) Practice law in the public interest in the state, as  
2        determined by the administrator in consultation with  
3        the advisory committee, including but not limited to  
4        providing direct legal services through:
- 5        (A) A legal services organization that serves clients  
6        more than seventy per cent of whom are low-income  
7        persons according to applicable federal income  
8        guidelines;
- 9        (B) The department of the prosecuting attorney of any  
10       county;
- 11       (C) The child support enforcement agency of the  
12       state;
- 13       (D) The office of the state public defender; and
- 14       (E) A non-profit organization under Section 501(c)(3)  
15       of the Internal Revenue Code.
- 16       (d) The administrator shall make loan repayment assistance  
17       available to eligible attorneys on a biannual basis. As a  
18       condition of receiving such assistance, the attorney shall sign  
19       a written commitment with the public interest law loan repayment  
20       program in which the attorney shall agree to practice in a  
21       qualifying organization for a minimum of three years. In



1 addition, the attorney shall notify the administrator in writing  
2 within thirty days of the date the attorney:

3 (1) Leaves employment with the qualifying organization; or

4 (2) Takes a leave of absence from the qualifying  
5 organization.

6 (e) In consultation with the advisory committee, the  
7 administrator shall:

8 (1) Determine the total amount of annual loan repayment  
9 assistance available under the public interest law  
10 loan repayment program; and

11 (2) Establish selection criteria for eligibility for the  
12 program based upon need and merit.

13 The administrator shall use the following two-tiered  
14 approach in determining the priority of applicants and amount of  
15 loan repayment assistance provided:

16 (1) First, the demonstrated need of the applicant, which  
17 shall be based on the applicant's salary, personal  
18 resources, and amount of law school debt; and

19 (2) Second, the legal practice in areas where the need for  
20 public interest attorneys in the state is high.



1 After using the two-tiered approach, the administrator shall  
2 use, but is not limited to, the following criteria for selecting  
3 among the applicants for the program:

4 (1) The applicant's commitment to public interest law, to  
5 be determined by reviewing the applicant's record of  
6 employment and volunteer services, taking into  
7 consideration an applicant's need for remunerative  
8 employment while attending law school; and

9 (2) The applicant's record of academic achievement.

10 The applicant shall provide to the public interest law loan  
11 repayment program the information listed above and other  
12 information as required, in an application form to be prepared  
13 by the program.

14 (f) The advisory committee shall comprise nine members  
15 appointed by the administrator, including but not limited to:

16 (1) Attorneys licensed to practice law in the state,  
17 particularly those practicing law in the public  
18 interest;

19 (2) Faculty members of the William S. Richardson school of  
20 law of the University of Hawaii;

21 (3) Members of the general public; and



1       (4) A student representative of the William S. Richardson  
2       school of law of the University of Hawaii.

3       (g) Nothing in this section shall be construed to create  
4       in any attorney a right to any loan repayment assistance or any  
5       specific amount of assistance offered under the public interest  
6       law loan repayment program.

7       (h) There shall be established a special fund to be known  
8       as the William S. Richardson school of law public interest law  
9       loan repayment program special fund, into which all  
10       appropriations, donations, and gifts shall be deposited. The  
11       administrator may use any amount of the moneys in the fund to  
12       provide eligible attorneys with loan repayment assistance. Upon  
13       determination by the administrator, the fiscal officer of the  
14       William S. Richardson school of law of the University of Hawaii  
15       shall disburse payments to eligible attorneys. The  
16       administrator shall submit an annual report to the legislature  
17       of an accounting of the program and the fund at least twenty  
18       days prior to the convening of each regular session."

19       SECTION 5. There is appropriated out of the highways  
20       special fund, highways administration, (TRN 595) the sum of  
21       \$100,000 or so much thereof as may be necessary for fiscal year



1 2006-2007 to implement the department of transportation's  
2 engineering scholarship program.

3 The sum appropriated shall be expended by the department of  
4 transportation, highways division, for the purposes of section 1  
5 of this Act.

6 SECTION 6. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$1 or so much thereof  
8 as may be necessary for fiscal year 2006-2007 for the purposes  
9 of section 2 of this Act.

10 The sum appropriated shall be deposited into the student  
11 scholarship and assistance special fund established pursuant to  
12 section 304-16.6, Hawaii Revised Statutes, and shall be expended  
13 by the University of Hawaii for scholarships for the Hawaii  
14 state scholars program.

15 SECTION 7. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$5,000,000 or so much  
17 thereof as may be necessary for fiscal year 2006-2007 for the  
18 state eminent scholars special fund.

19 The sum appropriated shall be expended by the University of  
20 Hawaii for the purposes of section 3 of this Act.

21 SECTION 8. There is appropriated out of the general  
22 revenues of the State of Hawaii the sum of \$200,000 or so much



1 thereof as may be necessary for fiscal year 2006-2007 for the  
2 William S. Richardson school of law public interest law loan  
3 repayment program.

4 The sum appropriated shall be expended by the William S.  
5 Richardson school of law public interest law loan repayment  
6 program for the purpose of section 4 of this Act.

7 SECTION 9. New statutory material is underscored.

8 SECTION 10. This Act shall take effect on July 1, 2006.



SB 3121 SD2

HD1

**Report Title:**

University of Hawaii; Scholarship Program; Hawaii Scholars

**Description:**

Establishes a Department of Transportation, Civil Engineering scholarship program, Hawaii State Scholars Program, State Eminent Scholars Special Fund, and the William S. Richardson School of Law Public Interest Law Loan Repayment Program Special Fund at the University of Hawaii. Appropriates funds for the programs. (SB3121 HD1)

SB3121 HD1 HMS 2006-3009

