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# A BILL FOR AN ACT

RELATING TO LABOR.

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

1           SECTION 1. Career and technical education, including  
2 apprenticeship education and job upgrade training, have been an  
3 integral component of the community college system of the  
4 University of Hawaii (community college system) since 1964. The  
5 community college system presently serves as the state's major  
6 resource in preparing and re-educating Hawaii's workforce in  
7 these changing economic times offering short-term training,  
8 certificates, and associate degree programs in more than one  
9 hundred twenty specialty areas. In addition, the employment  
10 training center of the community college system has developed  
11 considerable knowledge and expertise in working with  
12 hard-to-serve non-traditional students in a focused job  
13 preparation setting. This has significantly improved the  
14 state's ability to field a skilled workforce in many different  
15 fields.

16           Recent closings of businesses with a long history in  
17 Hawaii, as well as the closing of many plantations, including  
18 the recent announcement that the Del Monte Corporation will soon



1 cease pineapple operations on Oahu and Kauai, has created a need  
2 for a shifting of the skilled labor force. Rapid response to  
3 these types of incidences that allow for the expeditious  
4 training of workers in other skills that will allow them to  
5 return to the labor market is paramount. Providing vocational  
6 and industrial training, including training in new and  
7 innovative industries, promotes a healthy and productive society  
8 and will continue to serve to strengthen our economy.

9 The purpose of this part is to statutorily establish a  
10 rapid response development and training program within the  
11 community college system of the University of Hawaii.

12 SECTION 2. Chapter 305, Hawaii Revised Statutes, is  
13 amended by adding a new part to be appropriately designated and  
14 to read as follows:

15 **"PART . RAPID RESPONSE DEVELOPMENT AND TRAINING PROGRAM"**

16 **§305-A Purpose.** The purpose of this part is to establish  
17 a rapid response development and training program in the State  
18 of Hawaii and to determine the extent to which the employment  
19 needs of individuals can be met by either job training, a public  
20 service job, or a combination of both.

21 **§305-B Establishment of programs.** (a) There is  
22 established within the community college system, a rapid



1 response development and training program for the various  
2 industries in the State. The training program shall assist  
3 those unemployed and underemployed persons who cannot reasonably  
4 be expected to obtain suitable full-time employment without the  
5 benefit of training. Instruction and training shall be provided  
6 by the department of education, the community college system,  
7 the Manoa and Hilo campuses of the University of Hawaii, or  
8 other suitable agencies. Where a need is indicated to overcome  
9 barriers to possible training, the community college system,  
10 either on its own or in cooperation with the various departments  
11 and agencies of the State and county governments and private  
12 industry, may arrange for transportation, child care, health  
13 care, and other aids to employment. The community college  
14 system may also formulate and implement a program providing  
15 useful public service employment to unemployed persons other  
16 than public assistance recipients.

17 (b) The department of human services may formulate and  
18 implement a program providing useful public service employment  
19 to public assistance recipients. Refusal to accept suitable  
20 work as determined by the department of human services without  
21 justifiable reasons shall render an unemployed or underemployed  
22 recipient ineligible for public assistance.



1           **§305-C Contracts; public and private sectors.** (a) The  
2 community college system may enter into contracts for manpower  
3 development and training with the department of education, the  
4 Manoa and Hilo campuses of the University of Hawaii, or other  
5 public agencies.

6           (b) The community college system may enter into contracts  
7 with private industry for manpower training and job placement of  
8 unemployed persons within those private organizations. The  
9 private employer shall be responsible for compensating those  
10 persons the minimum wage, and the State may assume the  
11 differences in wages, if any, by determining the prevailing wage  
12 of persons employed in similar positions in private industry  
13 during the contract period for the manpower training.

14           (c) The community college system shall formulate standards  
15 and adopt rules to carry out the purposes of this section.

16           **§305-D Administration.** (a) The community college system  
17 may plan and administer manpower development and training  
18 programs under this part with the advice of the workforce  
19 development council.

20           (b) The community college system shall employ persons in  
21 each of the four counties for purposes of coordinating the rapid



1 response development and training program for the community  
2 college system within the particular county.

3       **§305-E Funds.** The State shall provide funds to cover  
4 training costs, such as instructors' salaries, equipment, and  
5 supplies. The State shall also provide funds to cover costs of  
6 each coordinator position established under section 305-D.

7       **§305-F Type of training.** Training is to be undertaken for  
8 those occupations for which there is reasonable expectation of  
9 employment upon completion of training with priority given to  
10 growth industries, including but not limited to electronics,  
11 software, instrumentation, biotechnology, renewable energy,  
12 telecommunications, computers, mariculture, aquaculture,  
13 tropical agriculture, Hawaiian natural products, and space  
14 applications, including astronomical research.

15       **§305-G New industry training program.** (a) There is  
16 established the new industry training program, within the rapid  
17 response development and training program established under  
18 section 305-B, which shall be administered by the community  
19 college system. Program moneys may be used:

20           (1) To tailor training or retraining programs to meet the  
21           needs of qualifying businesses;



- 1           (2) To reimburse instructors for valid and approved
- 2                   expenditures in delivering instruction under the
- 3                   program;
- 4           (3) To rent appropriate training facilities and equipment;
- 5           (4) To purchase or develop materials required to deliver
- 6                   the instruction; and
- 7           (5) For any other training-related expenses of the
- 8                   program.

9           (b) The community college system shall use the resources  
10 of the University of Hawaii, the high technology development  
11 corporation, and other educational and training resources in the  
12 public and private sectors throughout the state as may be  
13 appropriate to provide pre-employment, employment, or on-the-job  
14 training for local residents hired by businesses that are  
15 relocating to Hawaii or expanding their local operations. To  
16 provide the training, the community college system may contract  
17 with public agencies, including the various University of Hawaii  
18 campuses, private educational institutions, nonprofit  
19 corporations, or private entities.

20           **§305-H Eligibility requirements.** (a) To be eligible for  
21 state-assisted training or retraining under section 305-G,  
22 businesses shall:



- 1 (1) Be licensed to do business in Hawaii;
- 2 (2) Establish or expand operations in Hawaii; and
- 3 (3) Be engaged in research, development, manufacturing,
- 4 production, or delivery of services in growth
- 5 industries, including but not limited to electronics,
- 6 software, instrumentation, biotechnology, renewable
- 7 energy, telecommunications, computers, mariculture,
- 8 aquaculture, tropical agriculture, Hawaiian natural
- 9 products, and space applications, including
- 10 astronomical research.

11 (b) The community college system may adopt rules to  
 12 promote economic expansion within the State by further  
 13 identifying the businesses and industries that qualify for  
 14 services and the job positions and persons that are eligible for  
 15 training under this chapter and may consult with the department  
 16 of business, economic development, and tourism prior to issuing  
 17 these rules."

18 SECTION 3. Chapter 305, Hawaii Revised Statutes, is  
 19 amended by designating sections 305-1 to 305-5 as part I and  
 20 inserting a title before section 305-1 to read as follows:

21 **"PART I. GENERAL AND ADMINISTRATIVE PROVISIONS"**

1 SECTION 4. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ , or so  
3 much thereof as may be necessary for fiscal year 2006-2007, to  
4 establish a rapid response development and training program  
5 within the community college system of the university of Hawaii.

6 The sum appropriated shall be expended by the University of  
7 Hawaii for the purposes of this part.

8 SECTION 5. In codifying the new part added to chapter 305,  
9 Hawaii Revised Statutes, by section 2 of this Act, the revisor  
10 of statutes shall substitute appropriate section numbers for  
11 letters used in designating the new sections in this Act.

12 SECTION 6. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 7. This Act shall take effect on July 1, 2006.





**Report Title:**

Workforce Development Act; UH; Appropriation

**Description:**

Establishes the rapid response development and training program within the community college system; makes appropriation to UH for the rapid response development and training program. (SD3)

