
A BILL FOR AN ACT

RELATING TO THE HAWAII HIGHER EDUCATION COMMISSION.

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

1 SECTION 1. The legislature finds that as Hawaii's
2 technology sector grows, and as technology becomes embedded in
3 many of our more traditional industries, there is a growing need
4 for a workforce that has basic science, technology, engineering,
5 and mathematical skills, as well as graduates with specialized
6 science and engineering degrees. Some states are addressing
7 their science, technology, engineering, and mathematics
8 education, as well as other strategic post-secondary education
9 needs through a strong commission on higher education. Examples
10 include New Jersey, California, Arizona, and Maryland, among
11 others. In these states, a commission helps coordinate an
12 integrated system of higher education that includes both public
13 and private institutions.

14 Common goals of these commissions include:

- 15 (1) Increasing the rate of students pursuing post-
16 secondary education;
- 17 (2) Improving access to education, training, and lifelong
18 learning;



1 (3) Engaging the business community in setting goals and
2 objectives; and

3 (4) Changing public perceptions and aspirations regarding
4 higher education.

5 In Hawaii, the state post-secondary education commission,
6 as established by section 304A-3151, Hawaii Revised Statutes,
7 has a limited scope. Its primary legislative mandate is to
8 serve as a vehicle for receiving federal funds with the
9 authority to develop procedures for receiving and responding to
10 complaints. Most of the seats are assigned to representatives
11 of the University of Hawaii, including all members of the board
12 of regents, and the commission is administratively attached to
13 the University of Hawaii, with the university's president
14 designated as its administrative officer.

15 The legislature further finds that a state post-secondary
16 education commission with broader representation and a more
17 comprehensive mandate would better serve the State's needs in
18 meeting the challenges of a global economy. A commission with
19 representatives from public and private institutions of higher
20 education, government, and business could develop a vision and a
21 strategy to move Hawaii toward excellence in the twenty-first
22 century.



1 The purpose of this Act is to:

2 (1) Broaden the representation on the state post-secondary
3 education commission;

4 (2) Expand its mission to increase student enrollment and
5 access to higher education; and

6 (3) Recognize the workforce needs of Hawaii's business
7 community.

8 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
9 amended by amending the title of subpart C of part VII to read
10 as follows:

11 "C. [~~STATE POST-SECONDARY~~] HAWAII HIGHER EDUCATION
12 COMMISSION"

13 SECTION 3. Section 304A-3151, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[~~f~~]§304A-3151[~~t~~] **Establishment of the [~~state post-~~**
16 **~~secondary~~] Hawaii higher education commission; membership,**
17 **administration.** There is established a state [~~post-secondary~~
18 ~~education~~] commission[~~.—The~~] on higher education to be known as
19 the Hawaii higher education commission. Notwithstanding section
20 78-4, the commission shall consist of [~~the members of the board~~
21 ~~of regents of the university, the provisions of section 78-4~~
22 ~~notwithstanding, and four other members who shall be broadly and~~



1 ~~equitably representative of the general public and public and~~
2 ~~private nonprofit and proprietary institutions of post-secondary~~
3 ~~education in the State who shall be appointed in accordance with~~
4 ~~section 26-34.]~~ no more than fifteen members to be appointed as
5 follows:

- 6 (1) The director of business, economic development, and
7 tourism or the director's designee;
- 8 (2) The director of labor and industrial relations or the
9 director's designee;
- 10 (3) The superintendent of education or the
11 superintendent's designee;
- 12 (4) The president of the University of Hawaii or the
13 president's designee;
- 14 (5) The president of Brigham Young University-Hawaii or
15 the president's designee;
- 16 (6) The president of Chaminade University or the
17 president's designee;
- 18 (7) The president of Hawaii Pacific University or the
19 president's designee;
- 20 (8) The executive director of the high technology
21 development corporation or the executive director's
22 designee;



1 (9) The executive director of the Hawaii Association of
2 Independent Schools or the executive director's
3 designee;

4 (10) Four members of Hawaii's business community, including
5 one representative each from the city and county of
6 Honolulu and the counties of Hawaii, Kauai, and Maui,
7 and from the different economic sectors of banking,
8 land planning, health, and international affairs;
9 provided that two of four members are to be appointed
10 by the president of the senate; and two of four
11 members are to be appointed by the speaker of the
12 house of representatives; and

13 (11) Two university students, to serve terms of one year,
14 to be nominated by the student governing body of their
15 respective institutions.

16 The chair of the commission shall initially be appointed by the
17 governor for a term of one year, following which the chair shall
18 be elected by the members of the commission. The commission
19 shall be placed within the [university] department of business,
20 economic development, and tourism for administrative purposes[
21 ~~and its administrative officer shall be the president of the~~
22 ~~university].~~ The commission may appoint necessary staff members



1 to carry out its mandate in accordance with applicable policies
2 and procedures of the [~~university.~~] department of business,
3 economic development, and tourism, and as provided for in the
4 state budget."

5 SECTION 4. Section 304A-3152, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[~~+~~]**§304A-3152**[~~+~~] **Commission's duties, powers, and**
8 **authority.** (a) The commission may cooperate with the federal
9 government to qualify the State to receive federal funds made
10 available under the Higher Education Act of 1965, Public Law 89-
11 329, as amended from time to time, and in addition may serve as
12 the state agency for the receipt of federal funds when federal
13 legislation dealing with higher education or post-secondary
14 education requires, as a condition of state receipt of such
15 funds, the designation of a state agency that is broadly
16 representative of the general public and of post-secondary
17 education in the [~~State~~] state and when agencies other than the
18 commission created by this subpart may not qualify. The
19 commission also may receive funds from other sources to carry
20 out its mandate. The commission shall adopt appropriate rules
21 not inconsistent with this subpart as may be required to



1 administer this subpart. The rules shall be adopted in
2 accordance with chapter 91.

3 (b) No funds appropriated by the legislature may be used
4 to aid a person attending an institution not owned or
5 exclusively controlled by the State or a department of the State
6 or to pay for any staff work distributing federal or private
7 funds to students attending such schools. The maximum amount of
8 any grant awarded under the Hawaii state incentive grant program
9 shall be equal to the maximum allowed by federal law.

10 (c) The commission shall propose and manage a program to
11 provide student enrollment incentives, such as scholarships,
12 grants, and loans, including specific programs designed to meet
13 workforce needs, such as science, technology, engineering, and
14 mathematics scholarships or loan forgiveness plans.

15 (d) The commission shall review and make recommendations
16 to increase the rate of students pursuing post-secondary
17 education."

18 SECTION 5. Section 304A-3154, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "[+]§304A-3154[+] **Cooperation with other state agencies.**

21 The commission may be assisted by other state agencies,
22 including but not limited to the [~~university,~~] University of



1 Hawaii, the department of education, [~~and~~] the department of
2 commerce and consumer affairs[~~+~~], and the department of labor
3 and industrial relations."

4 SECTION 6. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect on July 1, 2059;
7 provided that the members of the state post-secondary education
8 commission serving on June 30, 2008, shall continue their duties
9 until the members of the new commission provided for by this Act
10 are appointed.



Report Title:

Hawaii Higher Education Commission

Description:

Expands the State Post-Secondary Education Commission and renames it the Hawaii Higher Education Commission. Effective 07/01/2059. (HB3072 HD2)

