

ACT 9

A Bill for an Act Amending Section 14A-29, Revised Laws of Hawaii 1955, as Amended, Relating to Temporary Boards and Commissions.

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 facts constituting such urgency:

The Second State Legislature in the Regular Session 1964 amended section 14A-29, Revised Laws of Hawaii 1955, as amended, by the enactment of Act 37 which established a temporary commission on higher education facilities to perform such functions as may be necessary with respect to receipt of federal grants-in-aid under the federal Higher Education Facilities Act of 1963. Said Act, which was passed by the 88th Congress of the United States, provides for a program of federal grants to public and private nonprofit institutions of higher education for the construction of academic facilities. Said Act also requires that any state desiring to participate in the grant designate

an existing state agency which is "broadly representative of the public and of institutions of higher education" in the State, or if no state agency exists, shall establish a state commission. The establishment of the higher education facilities commission through Act 37, Session Laws of Hawaii 1964, therefore, served to meet the requirement of the Higher Education Facilities Act of 1963.

The Higher Education Act of 1965, passed by the 89th Congress of the United States, provides for federal assistance in several aspects relating to higher education in the nation. Title VI-A of this Act authorizes grants to colleges and universities for teaching equipment and minor remodeling of undergraduate facilities. Also, funds are authorized for the purchase of television equipment and for minor remodeling, and for expenses associated with the administration of state plans. Further, the said Act provides that any state desiring to participate in the program shall designate for that purpose an existing state agency which is "broadly representative of the public and of institutions of higher education in the State," and if no such agency exists, the state may establish such an agency.

The existing higher education facilities commission of the State is deemed to meet the requirements of the Higher Education Act of 1965. However, the functions of the said commission, as legally prescribed at present, are restricted to grants available under the Higher Education Facilities Act of 1963. Therefore, the legislature deems it urgent to amend section 14A-29, Revised Laws of Hawaii 1955, as amended, in order to broaden the scope of functions of the commission and to ensure the participation of the State in the receipt of available funds under both the Higher Education Facilities Act of 1963 and the Higher Education Act of 1965, as well as under other applicable federal grants-in-aid programs for higher education that may be established in the future.

SECTION 2. The third paragraph of section 14A-29, Revised Laws of Hawaii 1955, as amended, is hereby amended to read as follows:

"There is hereby established a temporary commission on higher education to perform such functions as may be necessary with respect to receipt of federal grants-in-aid under the Higher Education Facilities Act of 1963, Title VI of the Higher Education Act of 1965, and any other federal legislation dealing with higher education that requires, as a condition of state participation in such grants, the designation of a state agency which is broadly representative of the public and of institutions of higher education in the State, when such functions may not be performed by an existing state agency. The commission shall consist of nine members and shall be broadly representative of the public and of institutions of higher education. The governor shall appoint the members of the commission, designate its chairman, and prescribe its organization, functions and authority. Confirmation of such appointments shall not be required and members shall serve at the pleasure of the governor. The commission shall not remain in existence beyond the period necessary to implement the program or programs under the federal legislation to which its functions are

related. All members of the commission shall serve without pay, but shall be entitled to reimbursement for necessary expenses while attending meetings and while in the discharge of duties and responsibilities. Such reimbursement and charges shall be made from the governor's contingency fund or from federal moneys, if permitted under the grant."

SECTION 3. This Act shall take effect upon its approval.
(Approved April 4, 1966.) **H.B. 529.**