A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION TO ESTABLISH A HAWAII COMMUNITY COLLEGE SYSTEM THAT IS SEPARATE FROM THE UNIVERSITY OF HAWAII.

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

SECTION 1. The purpose of this Act is to propose amendments to article X of the Constitution of the State of Hawaii to establish a Hawaii community college system, which shall be separate from the University of Hawaii.

SECTION 2. Article X of the Constitution of the State of Hawaii is amended by adding two new sections to be appropriately designated and to read as follows:

"HAWAII COMMUNITY COLLEGE SYSTEM

Section 1. The Hawaii community college system is hereby established and constituted a body corporate. It shall have jurisdiction over all public community colleges in the State. It shall have title to all the real and personal property now or hereafter set aside or conveyed to it, which shall be held in public trust for its purposes, to be administered and disposed of as provided by law.
Section. There shall be a board of regents of the Hawaii community college system, the members of which shall be nominated and, by and with the advice and consent of the senate, appointed by the governor from pools of qualified candidates presented to the governor by the candidate advisory council for the boards of regents of the University of Hawaii and Hawaii community college system, as provided by law. At least part of the membership of the board shall represent geographic subdivisions of the State. The board shall have the power to formulate policy and to exercise control over the community college system through its executive officer, the president of the community college system, who shall be appointed by the board. The board shall also have exclusive jurisdiction over the internal structure, management and operation of the community college system. This section shall not limit the power of the legislature to enact laws of statewide concern. The legislature shall have the exclusive jurisdiction to identify laws of statewide concern."

SECTION 3. Article 10, section 1, of the Constitution of the State of Hawaii is amended to read as follows:
"ARTICLE X

EDUCATION

PUBLIC EDUCATION

Section 1. The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, [a state university] the University of Hawaii, the Hawaii community college system, public libraries and [such] other educational institutions as [may be] deemed desirable, including physical facilities therefor. There shall be no discrimination in public educational institutions because of race, religion, sex or ancestry; nor shall public funds be appropriated for the support or benefit of any sectarian or nonsectarian private educational institution, except that proceeds of special purpose revenue bonds authorized or issued under section 12 of Article VII may be appropriated to finance or assist:

1. Not-for-profit corporations that provide early childhood education and care facilities serving the general public; and
2. Not-for-profit private nonsectarian and sectarian elementary schools, secondary schools, colleges and universities."

SECTION 4. Article 10, section 5, of the Constitution of the State of Hawaii is amended to read as follows:

"UNIVERSITY OF HAWAII

Section 5. The University of Hawaii is hereby established as a state university and constituted a body corporate. It shall have jurisdiction over the State's public institutions of higher education, except for the community colleges. It shall have title to all the real and personal property now or hereafter set aside or conveyed to it, which shall be held in public trust for its purposes, to be administered and disposed of as provided by law."

SECTION 5. Article 10, section 6, of the Constitution of the State of Hawaii is amended to read as follows:

"BOARD OF REGENTS[+] OF THE UNIVERSITY OF HAWAII; POWERS

Section 6. There shall be a board of regents of the University of Hawaii, the members of which shall be nominated and, by and with the advice and consent of the senate, appointed by the governor from pools of qualified candidates presented to
the governor by the candidate advisory council for the [board]
boards of regents of the University of Hawaii[τ] and Hawaii
community college system, as provided by law. At least part of
the membership of the board shall represent geographic
subdivisions of the State. The board shall have the power to
formulate policy[τ] and to exercise control over the university
through its executive officer, the president of the university,
who shall be appointed by the board. The board shall also have
exclusive jurisdiction over the internal structure,
management[τ] and operation of the university. This section
shall not limit the power of the legislature to enact laws of
statewide concern. The legislature shall have the exclusive
jurisdiction to identify laws of statewide concern."

SECTION 6. The question to be printed on the ballot shall
be as follows:

"Shall the community colleges of the State of Hawaii be
administered as a separate Hawaii Community College System,
which shall be independent from the University of Hawaii
and administered by a separate board of regents?"
SECTION 7. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 8. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

INTRODUCED BY:
Report Title:
Constitutional Amendment; UH; Community Colleges; Administration; Hawaii Community College System

Description:
Proposes an amendment to the State Constitution to create a Hawaii Community College System to administer the State's community colleges. Provides for the Hawaii Community College System to be independent from the University of Hawaii and to be governed by an independent board of regents.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*