

STAND. COM. REP. NO.

231

Honolulu, Hawaii

FEB 13 2007

RE: S.B. No. 684  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Education, to which was referred S.B. No. 684 entitled:

"A BILL FOR AN ACT RELATING TO UNIFORM INFORMATION PRACTICES, "

begs leave to report as follows:

The purpose of this measure is to require public disclosure of proposed compensation or compensation changes for administrative positions in the University of Hawaii System.

Testimony in support of this measure was submitted by the University of Hawaii Professional Assembly. Testimony in opposition to this measure was submitted by the University of Hawaii.

Your Committee finds that currently, the Board of Regents is not required to disclose to the public the proposed salary of a candidate for an administrative position or a proposed change in the salary of an administrator. Instead, disclosure is only necessary after the Board of Regents has already taken action on a salary proposal. Your Committee understands that interested parties may wish to gain knowledge of proposed salary information prior to action being taken in order to provide comments on such proposed action. However, your Committee is also mindful of the fact that the disclosure of sensitive information, such as proposed salaries, can be detrimental to the balance of power involved in negotiations during the hiring process.




Additionally, testimony provided raised questions regarding the constitutionality of requiring public disclosure of proposed actions by the Board of Regents. Your Committee believes that this issue requires further consideration and investigation into the merits of the legal issues raised.

Accordingly, your Committee has amended this measure by changing the effective date of the Act to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 684, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 684, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Education,

  
\_\_\_\_\_  
NORMAN SAKAMOTO, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

Record of Votes  
Committee on Education  
EDU

Bill / Resolution No.:* <b>SB 684</b>	Committee Referral: <b>EDU, JDL</b>	Date: <b>02/07/07</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAKAMOTO, Norman (C)	X			
TOKUDA, Jill N. (VC)	X			
CHUN OAKLAND, Suzanne	X			
HEE, Clayton	X			
NISHIHARA, Clarence K.	X			
TANIGUCHI, Brian T.				X
GABBARD, Mike	X			
<b>TOTAL</b>	<b>6</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution:             Original     Yellow     Pink File with Committee Report     Clerk's Office     Drafting Agency				

\*Only one measure per Record of Votes