

JAN 19 2007

A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1 SECTION 1. Chapter 304A, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§304A- Governor's candidate advisory council for the
5 board of regents of the University of Hawaii. (a) There is
6 established the governor's candidate advisory council to screen
7 and recommend qualified candidates to the governor for
8 appointment to the board of regents. The candidate advisory
9 council shall be placed in the University of Hawaii for
10 administrative purposes.

11 (b) The candidate advisory council shall recommend no
12 fewer than two and no more than four candidates for each seat on
13 the board of regents within:

14 (1) Thirty days of a vacancy; or

15 (2) One hundred twenty days prior to the expiration of a
16 term.



1 (c) In making its recommendation, the governor's candidate
2 advisory council shall:

3 (1) For each position on the board of regents, screen and
4 qualify candidates for the board of regents based on
5 the qualifications imposed by the state constitution
6 on their backgrounds, experience, and potential for
7 discharging the responsibilities of a member of the
8 board of regents;

9 (2) Actively solicit and accept applications from
10 potential candidates;

11 (3) Develop and implement a fair and independent procedure
12 for selecting candidates to serve on the board of
13 regents; and

14 (4) Require the candidate and members of the candidate's
15 immediate family to disclose any existing or
16 anticipated contracts with the University of Hawaii,
17 any existing or anticipated financial transactions
18 with the University of Hawaii, and any family
19 relationships with University of Hawaii employees.

20 (d) Provisions to the contrary notwithstanding, in order
21 to provide continuity for the board of regents, the governor may
22 recommend to the governor's candidate advisory council the



1 reappointment of board of regents members, subject to senate
2 confirmation.

3 (e) The governor's candidate advisory council shall
4 consist of seven members to be appointed by the governor without
5 regard to section 26-34.

6 Appointees to the governor's candidate advisory council
7 shall have a general understanding of the purposes of higher
8 education, the mission of the University of Hawaii system, and
9 the responsibilities of the board of regents. Appointees shall
10 be individuals who are widely viewed as having placed the broad
11 public interest ahead of special interests, have achieved a high
12 level of prominence in their professions, and are respected by
13 the community.

14 (f) Members of the governor's candidate advisory council
15 shall serve four-year terms; coterminous with the governor.

16 (g) If a vacancy occurs, a successor shall be appointed in
17 the same manner as the person's predecessor. The person
18 appointed to fill a vacancy shall serve for the remainder of the
19 term of the person's predecessor.

20 (h) The governor's candidate advisory council shall
21 operate in a wholly nonpartisan manner. No member of the
22 governor's candidate advisory council shall run for or hold any



1 electd office of the State, or its political subdivisions. Any
2 member of the governor's candidate advisory council who decides
3 to run for an elected office of the State, or its political
4 subdivisions, shall resign from the governor's candidate
5 advisory council prior to filing nomination papers.

6 (i) The governor shall appoint a chairperson. A majority
7 of the members to which the governor's candidate advisory
8 council is entitled shall constitute a quorum to do business.
9 The concurrence of a majority of all the members to which the
10 governor's candidate advisory council is entitled shall be
11 necessary to make any action of the governor's candidate
12 advisory council valid.

13 (j) Members of the governor's candidate advisory council
14 shall serve without compensation but shall be reimbursed for
15 expenses, including travel, board, and lodging expenses,
16 necessary for the performance of their duties."

17 SECTION 2. Section 304A-104, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) The affairs of the university shall be under the
20 general management and control of the board of regents
21 consisting of twelve members who shall be appointed by the
22 governor and may be removed by the governor. The term of each

1 member shall be for four years; provided that the term of the
2 student member shall be for two years. Except as otherwise
3 provided by statute, state officers shall be eligible to
4 appointment and membership. Every member may serve beyond the
5 expiration date of the member's term of appointment until the
6 member's successor has been appointed [~~and has qualified.~~] from
7 pools of qualified candidates presented to the governor by the
8 governor's candidate advisory council."

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect on July 1, 2007.

12

INTRODUCED BY: Norman Sakomfo



Report Title:

UH; Board of Regents; Governor's Candidate Advisory Council

Description:

Establishes the governor's candidate advisory council appointed by the governor to screen and propose candidates for appointment to the board of regents of the University of Hawaii. Allows a board of regents member to continue to serve until the member's successor has been appointed by the governor.

