

Honolulu, Hawaii  
Feb 15, 2008

RE: H.B. No. 2583  
H.D. 2

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2583, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS,"

begs leave to report as follows:

The purpose of this bill is to foster meaningful dialogue regarding certain University of Hawaii (UH) matters by:

- (1) Prohibiting the UH Board of Regents (Board) from withholding recommendations, draft documents, proposals, suggestions, or other opinion materials that comprise part of the deliberative process by which the Board formulates its decisions and policies, including those relating to the UH budget;
- (2) Requiring UH to disclose in open meeting for purposes of public comment, the proposed compensation or change in compensation of administrative positions in the UH system filled by excluded employees; and
- (3) Requiring that the Board, for administrative positions in the UH system filled by excluded employees, publicly disclose, no later than six business days before any related open meeting convened for the purposes of public



comment, the compensation offered to newly-hired employees and any changes in compensation offered to existing employees under Chapter 89C, Hawaii Revised Statutes.

The UH Professional Assembly testified in support of this bill. UH opposed this measure.

The Board has jurisdictional authority over UH, as well as various personnel matters such as the hiring of, or changing in the salaried compensation of, a number of positions in the UH system, including administrative positions that are currently, or will be, filled by excluded employees. When considering the compensation packages of these excluded administrators or changes in excluded administrative salaries, it appears that public interests may best be served by allowing public comment on this activity. However, your Committee understands the concerns raised by UH regarding issues of privilege and confidentiality. As these matters are beyond the purview of your Committee on Labor, your Committee respectfully requests the Committee on Judiciary to review these issues further when considering this legislation. Nevertheless, the importance of this matter warrants further discussion.


Your Committee has amended this measure by:

- (1) Deleting the provision prohibiting the Board from withholding recommendations, draft documents, proposals, suggestions, or other opinion materials that comprise part of the deliberative process by which the Board formulates its decisions and policies, including those relating to the UH budget;
- (2) Changing its effective date to July 1, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2583, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.B. No. 2583, H.D. 2.

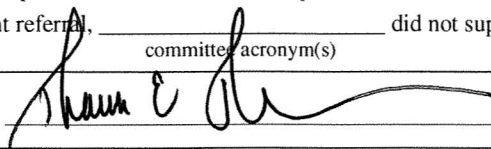


Respectfully submitted on  
behalf of the members of the  
Committee on Labor & Public  
Employment,

  
\_\_\_\_\_  
ALEX M. SONSON, Chair



Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: HB 2533, HD1	Committee Referral: HED, LAB, JUD	Date: 2/8/03		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. SONSON, Alex M. (C)	✓			
2. NAKASONE, Bob (VC)				✓
3. EVANS, Cindy	✓			
4. HAR, Sharon E.	✓			
5. LEE, Marilyn B.	✓			
6. LUKE, Sylvia	✓			
7. McKELVEY, Angus L.K.				X
8. NISHIMOTO, Scott Y.	✓			
9. SOUKI, Joseph M.	✓			
10. TAKAMINE, Dwight Y.	✓			
11. TAKUMI, Roy M.	✓			
12. MEYER, Colleen Rose		X		
13. PINE, Kymberly Marcos		X		
TOTAL (13)	9	2		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted         If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				