

Honolulu, Hawaii

Feb 13, 2008

RE: H.B. No. 3226  
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 Judiciary, to which was referred H.B. No. 3226, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,"

begs leave to report as follows:

The purpose of this bill is to improve the governance of the University of Hawaii (UH) by:

- (1) Requiring that the 12 members or more of the UH Board of Regents (BOR) who represent specified geographical areas also reside in those areas;
- (2) Clarifying the purpose of the Candidate Advisory Council by renaming it the Regents Candidate Advisory Council (RCAC);
- (3) Requiring the Governor to inform RCAC of the resignation, death, or removal of a BOR member within 10 days of the removal or of receiving notification of the resignation or death;
- (4) Requiring RCAC to submit names of BOR candidates to the Governor within 60 days--instead of 30 days--of a vacancy that arises by resignation, death, or removal by the Governor;



- (5) Making confidential the information concerning potential BOR candidates that is not of public record, except for information concerning a candidate who is appointed by the Governor, which must be disclosed as provided by law; and
- (6) Appropriating \$152,000 to establish a permanent administrative position for RCAC.

RCAC supported this bill. The Office of the Governor supported the intent of this measure.

After careful consideration, your Committee has amended this bill by:

- (1) Specifying that the Governor's notification of RCAC of the resignation, death, or removal of a BOR member must be in writing; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that the Office of the Governor and RCAC have both expressed concerns about the requirement in the current draft that information relating to a candidate nominated by the Governor, other than information already of public record, be disclosed as provided by law. Furthermore, the Office of the Governor asserts that the appropriation in this bill is unnecessary because the funding for administration of RCAC has already been made a BOR priority and included within the Executive Supplemental Budget request. Your Committee respectfully requests that the Committee on Finance address this issue.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3226, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 3226, H.D. 2.



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

  
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TOMMY WATERS, Chair

