



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Higher Education and the
House Committee on Judiciary
March 9, 2010 at 2:00 p.m.

by
Howard Todo

Vice President for Budget and Finance/CFO, University of Hawai'i

SB 2387 SD1 - RELATING TO THE UNIVERSITY OF HAWAII

Chairs Chang and Karamatsu, Vice Chairs Nakashima and Ito, and Members of the Committees:

Thank you for this opportunity to provide testimony in support of SB 2387 SD1 to allow the University of Hawai'i Board of Regents to establish fees for campus parking at an open meeting subject to the requirements of chapter 92, Hawai'i Revised Statutes (HRS) (the Sunshine Law), and exempt from the public notice, public hearing, and gubernatorial approval requirements of the chapter 91 rulemaking process.

This bill will enable the Board of Regents to establish University parking fees using the same process as currently applies to most other fees and charges imposed by the University, including tuition. Granting this authority to the Board of Regents will enable the University to more efficiently establish parking fees at appropriate levels to cover the costs of parking facilities and operations.

Currently, the Board of Regents has authority under section 304A-2006, HRS, to establish and amend fees or charges that generate receipts for deposit into University of Hawai'i special and revolving funds at a public meeting subject to the Sunshine Law and exempt from chapter 91. The Board of Regents also has authority under section 304A-403, HRS, to set resident tuition fees at an open public meeting subject to the Sunshine Law and exempt from the formal rulemaking process, provided that the open meeting is held during or prior to the semester preceding the semester to which the fees apply and that a copy of the schedule of fees is filed in the office of the Lieutenant Governor prior to taking effect.

Despite its broad authority to set other fees at an open meeting under chapter 92 and exempt from chapter 91, the Board of Regents is currently required by section 304A-2601, HRS, to set campus parking fees through formal rulemaking under chapter 91. This process is unnecessarily cumbersome and time-consuming, as it requires at least two meetings of the Board of Regents, at least one public hearing, and at least two submissions to the Governor's office before a parking fee amendment can take effect.

Specifically, the Board of Regents currently must complete at least the following steps to amend campus parking fees:

- Authorize the holding of a public hearing on proposed regulations, by action of the Board at a public meeting under the Sunshine Law;
- Submit the proposed regulations and supporting information to the Governor and obtain the Governor's approval for the holding of a public hearing;
- Hold a public hearing, on at least 30 days' notice, and receive public testimony on the proposed rule;
- Approve final regulations at another public meeting of the Board of Regents following the public hearing; and
- Submit the final regulations to the Governor with supporting information and obtain the Governor's approval.

Additional meetings and/or hearings may be required if the proposed rule is significantly modified during the review process. This process takes several months to complete, at best.

The Board of Regents' existing authority to set other University fees and charges at a public meeting under the Sunshine Law, and exempt from chapter 91, has been exercised responsibly and reasonably. The public has a full opportunity to testify on proposed changes in fees and charges, in writing or orally or both, and the Board considers all such testimony before acting. Thus, allowing the setting of parking fees at a chapter 92 public meeting, and exempt from chapter 91 rulemaking, will not meaningfully reduce the public's opportunity to participate in the process or affect the quality of the Board of Regents' decisionmaking. It will simply make the process more efficient and less time-consuming.

Thank you for the opportunity to testify in strong support of SB 2387 SD1.

Dear Chairperson Tokuda and members of the Higher Education Committee,

My name is Megan Chock, and I am a senior at the University of Hawaii at Manoa. I am also a member of the University of Hawaii Student Caucus (UHSC) and the Associated Students of the University of Hawaii (ASUH). As a student and a student representative, I would like to ask you to consider the implications that Senate Bill 2387 might have for students of the University of Hawaii System.

At our meeting on Saturday, January 23, 2010, UHSC passed Resolution 09-002, which is in opposition to HB2051, the companion bill to SB2387. As the two bills are essentially the same, the reasons for opposing HB2051 are directly transferable to SB2387. The primary reason of concern was that student representatives felt that by eliminating the requirements of chapter 91, students would not have enough opportunity to voice their opinions about future parking fees. At the University of Hawaii at Manoa in particular, the availability and affordability of parking has always been an issue; commuter students often arrive on campus hours before their first class (some of my friends come as early as 5:30 a.m.) and sleep in their cars to ensure they have a parking space in the parking structure. In addition, parking is a significant expense; those who cannot get a parking pass must pay \$5 a day or find limited on-street parking, which is often located a good distance from campus. At the Caucus meeting, other representatives from UH Hilo said that affordability is not an issue, but rather the over-issuance of parking passes; an excess of parking passes are issued, preventing students who have purchased passes from finding parking. The Caucus felt that many of these problems could persist in the future if students did not have the ability to share them at public hearings.

Although the Caucus as a whole decided that the continuance of the statutes of chapter 91 was the best way to ensure public hearings in which students' voices could be heard, the prevailing opinion was that the bigger issue would be preserving the opportunity for students to share their opinions. We understand that the process of approval under chapter 91 is often very protracted. If the issue is to circumvent some of the yellow tape surrounding the process so that changes can be implemented in a more timely manner, then please keep in mind the wishes of the students: to have the opportunity to provide testimony and opinions before future changes to parking fees are made. If the Board of Regents is to be exempted from chapter 91, please preserve the requirement to have a period or meeting in which student testimony will be considered before the establishment of such fees.

Thank you for your time in reading this testimony. If you have any questions, please feel free to contact me at mmmpchock@hawaii.edu. I appreciate your efforts this legislative session and thank you for listening to me.

Yours truly,
Megan Chock



**UNIVERSITY OF HAWAII STUDENT CAUCUS (UHSC)
University of Hawai'i System
Resolution No. 09-002**

IN OPPOSITION TO HOUSE BILL NO. 2051, WHICH WOULD ALLOW THE BOARD OF REGENTS TO ASSESS PARKING FEES WITHOUT PUBLIC NOTICE, PUBLIC HEARING AND GUBERNATORIAL APPROVAL

BE IT ENACTED BY THE STUDENT CAUCUS:

- WHEREAS,** the University of Hawai'i Student Caucus is the representative organization of the approximately 58,000 students enrolled at the University of Hawai'i system as chartered by the Board of Regents of the University of Hawai'i; and,
- WHEREAS,** according to our purpose to serve as a collective voice for all University of Hawai'i students, we are established to advocate for the interests and needs of students throughout the University of Hawai'i System; and,
- WHEREAS,** the University of Hawai'i Student Caucus (UHSC) shall provide a cohesive and unified voice before the Board of Regents, the University Administration, the Hawai'i State Legislature, and other policy making bodies; and,
- WHEREAS,** House Bill No. 2051 of the 2010 legislative session proposes exempting the Board of Regents from the public notice, public hearing, and gubernatorial approval requirements of chapter 91 when assessing parking fees on roadways and parking areas under the jurisdiction of the university, and instead would only require an open public meeting before the establishment of such fees as in chapter 92; and,
- WHEREAS,** many of the students in the University of Hawai'i system commute to school, and thus heavily rely on the availability of affordable parking spaces on or near campus; and,
- WHEREAS,** under chapter 91, students have been able to voice their opinions about proposed amendments to parking fees to the Board of Regents prior to the establishment of the fees, helping to keep parking affordable for students and fostering open communication between students at the BOR; and,
- WHEREAS,** with the proposed changes of HB2051, students' voices may not be heard in adequate time to prevent the establishment of parking fees that students cannot afford; and, therefore,
- BE IT RESOLVED,** that the Student Caucus opposes the passage of HB2051 in its current form, which exempts the Board of Regents from public notice and public hearings before the assessment of parking fees under chapter 91; and,
- BE IT FURTHER RESOLVED,** that the Student Caucus believes it is important for students to have the ability to voice their opinions about university fee assessments to the Board of Regents under the guidelines of chapter 91 before the

establishment of new fees; and,

NOW, THEREFORE, BE IT FINALLY RESOLVED, that copies of this resolution shall be sent to: House Bill No. 2051 introducers Jerry Chang, Cindy Evans, Faye Hanohano, Ken Ito, Mark Nakashima, Joseph Souki, Mark Takai, Clift Tsuiji, Joe Bertram, Denny Coffman, Joey Manahan, Angus McKelvey, Blake Oshiro, and Roy Takumi; Governor Linda Lingle; State Senate President Colleen Hanabusa, Speaker of the House Calvin K.Y. Say, Chair of the State Senate Higher Education Committee Jill Tokuda, Chair of State Senate Economic Development and Technology Committee Carol Fukunaga, Chair of State House Finance Committee Marcus R. Oshiro, The Board of Regents of the University of Hawai'i; University of Hawai'i President M.R.C. Greenwood; University of Hawai'i at Mānoa Chancellor Virginia Hinshaw; Vice Chancellor for Students Francisco Hernandez; Vice Chancellor for Academic Affairs Reed Dasenbrock, The Graduate Student Organization at the University of Hawai'i at Mānoa; The Honolulu Advertiser; The Honolulu Star-Bulletin; KITV; Hawaii News Now; KHON; The Honolulu Weekly; and the Ka Leo O Hawai'i.

Megan M.P. Chock
ASUH (Mānoa) Senator-at-Large
UHSC Chairperson of Budget and Facilities

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 1:11 PM
To: HEDtestimony
Cc: bcompton@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM
Attachments: ASUH-KCC_RES_001[1] final.docx

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Bethany Compton
Organization: (ASUH) Kauai Community College
Address:
Phone: (610) 739-6312
E-mail: bcompton@hawaii.edu
Submitted on: 3/8/2010

Comments:



ASSOCIATED STUDENTS
of the UNIVERSITY of HAWAII
at KAUA'I COMMUNITY COLLEGE

ASUH-KCC Meeting: February 24, 2010
Resolution No. 001

IN OPPOSITION TO HOUSE BILL NO. 2387 WHICH WOULD ALLOW THE BOARD OF REGENTS TO ASSESS PARKING FEES WITHOUT GUBERNATORIAL APPROVAL, PUBLIC NOTICE, OR PUBLIC HEARINGS.

BE IT RESOLVED BY ASUH-KCC:

- WHEREAS*, ASUH-KCC (the Associated Students of the University of Hawaii at Kauai Community College) represents Kauai Community College's 1,351 students; and,
- WHEREAS*, ASUH-KCC was established to provide advocacy on behalf of Kauai Community College's students ; and,
- WHEREAS*, Kauai Community College is part of the University of Hawaii system; and,
- WHEREAS*, ASUH-KCC desires to publicly declare to the Board of Regents (BOR), the University Administration, the Hawaii State Legislature, and other paramount leaderships which this issue may concern; and,
- WHEREAS*, House Bill No. 2387 of the 2010 legislative session proposes exempting the Board of Regents from the public notice, public hearing, and gubernatorial approval which are requirements of chapter 91 when assessing parking fees on roadways and parking areas under the jurisdiction of the university, and instead would only require an open public meeting before the establishment of such fees as in chapter 92; and,
- WHEREAS*, due to the concern of possible parking fees or restrictions which could be assessed in the future at Kauai Community College, and the concern of non-transparency which House Bill No. 2387 would enable; and,
- WHEREAS*, under chapter 91, students have the right to express their concerns in regard to proposed amendments to parking fees to the Board of Regents before the finalized decision would be made; and,
- WHEREAS*, the changes to HB2387 would take away students' freedom of speech in relation to parking fees, and furthermore HB2387 would remove transparency and abolish the fair means of communication that currently exists between students and the BOR; therefore,

BE IT RESOLVED, that ASUH-KCC opposes the passage of HB2387 , which would exempt the Board of Regents from public notice and public hearings before the assessment of parking fees under chapter 91; and,

BE IT FURTHER RESOLVED, that ASUH-KCC finds that HB2387 in its current form restricts students' rights to freedom of speech in regards to parking on campus; and,

NOW, THEREFORE, BE IT FINALLY RESOLVED, that copies of this resolution shall be sent to: House Bill No. 2051 introducers Jerry Chang, Cindy Evans, Faye Hanohano, Ken Ito, Mark Nakashima, Joseph Souki, Mark Takai, Clift Tsuiji, Joe Bertram, Denny Coffman, Joey Manahan, Angus McKelvey, Blake Oshiro, and Roy Takumi; Governor Linda Lingle; Lt. Governor Aiona; State Senate President Colleen Hanabusa, Speaker of the House Calvin K.Y. Say, Chair of the State Senate Higher Education Committee Jill Tokuda, Chair of State Senate Economic Development and Technology Committee Carol Fukunaga, Chair of State House Finance Committee Marcus R. Oshiro, The Board of Regents of the University of Hawai'i; University of Hawai'i President M.R.C. Greenwood; University of Hawai'i at Mānoa Chancellor Virginia Hinshaw; Vice Chancellor for Students Francisco Hernandez; Vice Chancellor for Academic Affairs Reed Dasenbrock; Kaua'i Community College Chancellor Helen Cox; The Graduate Student Organization at the University of Hawai'i at Mānoa; The Honolulu Advertiser; The Honolulu Star-Bulletin; KITV; Hawaii News Now; KHON; The Honolulu Weekly; Ka Leo O Hawai'i, and The Garden Island.

Introduced by:
Bethany C. Compton

ASUH-KCC Senator Business Education
UHSC (University of Hawaii Student Caucus) 2nd Delegate

Unanimously passed by:

2009-2010 Senators:

At Large:

Moksha Mclur

Ian Ross

Dian Sater

Business Ed

- A. *Bethany Compton*
- B. *Kainoa Matias*

HEALTH EDUCATION AND PUBLIC SERVICE

- *COURTNEY MARTIN*

- *VACANT*

LANGUAGE, ARTS AND HUMANITIES

(LIBERAL ARTS)

- **Kathrine Guerrero**

- **Eileen Ricardo**

SCIENCE & MATH

(LIBERAL ARTS)

- *CHANTEL NOHEALANI*
- *SKYLER WORKMAN*

TRADE TECHNOLOGY

- **Bryson Bergonia**

- **Ariel Lothlorien**

Senator Donna Mercado Kim, Chair
Senator Shan S. Tsutsui, Vice Chair

Committee on Higher Education

Senate of the State of Hawai'i

Lance D. Collins, Esq.

Wednesday, February 17, 2010
Oppose SB No. 2387, Relating to the University of Hawaii

My name is Lance D. Collins. I am an attorney in private practice on the island of Maui and testify on my own behalf.

As a public interest attorney and litigator, any exemption to Hawaii's open government laws, the Hawai'i Administrative Procedure Act (HAPA), the Hawai'i Sunshine Law, and the Uniform Information Practices Act, should be met with careful scrutiny to determine if the competing public policy advanced for the exemption outweighs the strong public policy in favor of the public's right to know.

The bill as currently drafted simply restates that the Board of Regents is subject to the Hawai'i Sunshine Law but exempts the Board from HAPA.

The University's public policy for seeking this exemption is:

This bill will enable the Board of Regents to establish University parking fees using the same process as currently applies to most other fees and charges imposed by the University, including tuition. Granting this authority to the Board of Regents will enable the University to more efficiently establish parking fees at appropriate levels to cover the costs of parking facilities and operations.

HAPA currently provides an exemption for all "regulations concerning only the internal management of an agency." This has been historically read to include most matters that affect students, faculty and staff, but not the general public. These rules have been adopted solely as Board policy or as Executive policy and not as formal administrative rules.

The matter of parking and traffic, however, is not something that only affects the internal management of the agency, but, like the use of University owned facilities by the general public, involves the general public.

While the objectives of HAPA and the Hawai'i Sunshine Law overlap, they fulfill different objectives of open government. Adopted in 1961, HAPA was created "to provide a uniform administrative procedure for all state and county boards, commissions, departments or offices which would encompass the procedure of rule making and adjudication of contested cases." Hse. Stand. Comm. Rep. No. 8, in 1961 House Journal, at 653. Adopted in 1975, the Hawai'i Sunshine Law was created for the purpose of "Opening up the governmental processes to public scrutiny and participation [as] the only viable and reasonable method of protecting the public's interest" Haw. Rev. Stat. 92-1

In other words, administrative rules have the force and effect of law and HAPA requires that adoption of such rules be done in a uniform manner as a matter of fairness and due process. The Hawai'i Sunshine Law requires that decision-making of boards and commissions be done in an open and transparent manner. It specifically does not deal with the procedures for adopting rules that have the force and effect of law.

Because the setting of parking fees and procedures would have the force and effect of law, they should be subject to the publication and other requirements of HAPA. **Rules that have the force and effect of law should be subject to a minimum level of uniform procedures and should be subject to publication and codification requirements so that the public is on notice of what the law is so that they can conform to such laws.**

Despite the University's claim that this process is cumbersome, the Department of Land and Natural Resources, which administers significantly more land and much more complex interactions with the public than just parking have been able to successfully use formal rule-making without incident over the last 50 years.

Please hold this bill for further study and inquiry by the University of Hawai'i.

Thank you for this opportunity to provide testimony on this measure.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 2:05 PM
To: HEDtestimony
Cc: jctino@yahoo.com
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: John Constantino
Organization: Individual
Address: Post Office Box 95 Kilauea, HI 96754
Phone: (808)651-4151
E-mail: jctino@yahoo.com
Submitted on: 3/8/2010

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 1:34 PM
To: HEDtestimony
Cc: linden_james@hotmail.com
Subject: Testimony for SB2837 on 3/9/2010 2:05:00 PM
Attachments: testimony.doc

Testimony for HED 3/9/2010 2:05:00 PM SB2837

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: James Linden
Organization: Individual
Address: 1030 Kulaloa Road Hilo, Hawaii
Phone: (808)896-1180
E-mail: linden_james@hotmail.com
Submitted on: 3/8/2010

Comments:

My name is James Linden, and I am the Senator of the College of Engineering in the Associated Students of the University of Hawaii at Manoa (ASUH), the undergraduate student government at the University of Hawaii at Manoa. I am against Senate Bill 2837 because it will not allow students to voice their concerns prior to changes in the parking fees on campus. Please consider this student opposition to Senate Bill 2837.

Thank you,

James Linden
Senator of the College of Engineering
Associated Students of the University of Hawaii at Manoa

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 4:21 AM
To: HEDtestimony
Cc: moksha@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Moksha McClure
Organization: Individual
Address: PO Box 488 Lihue, HI
Phone:
E-mail: moksha@hawaii.edu
Submitted on: 3/8/2010

Comments:

I am a Senator at Kauai Community College (on ASUH-KCC) and Kauai Community College's first delegate on the University of Hawaii Student Caucus (UHSC). UHSC and ASUH-KCC are highly concerned about SB2387/HB2051. This bill would essentially silence students on a matter that is of great importance to them: parking.

Our ability to effectively testify on parking changes in the UH system is currently protected by Chapter 91. SB 2387 would exempt the Board of Regents from following the guidelines outlined in Chapter 91. Therefore, we oppose SB2387. In fact, UHSC wrote a resolution opposing HB2051 and Kauai Community College wrote a resolution opposing SB2387.

We're counting on you. Please do not approve SB2387. This bill would eliminate the transparency and balance of power that is so important in a fair and just system.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 1:42 PM
To: HEDtestimony
Cc: kpakele@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Kelson Ho'omano Pakele
Organization: Individual
Address: 200 W. Kawili Hilo, HI
Phone: 974-7500
E-mail: kpakele@hawaii.edu
Submitted on: 3/8/2010

Comments:

Aloha,

My name is Kelson Ho'omano Pakele. I am UH Hilo Student Association President and UH Student Caucus Chairperson. The UHSC delegation has passed a resolution in opposition to the Chapter 91 exemption proposed in SB2387 because it is felt that students will not be given enough consideration in the decision making process regarding new parking fees. Mahalo for your consideration of the student opposition to SB2387.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 3:01 PM
To: HEDtestimony
Cc: isataua@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Iseulaolemoana Cinderella Sataua
Organization: Individual
Address: 274 Koa Place unit 101 Honolulu Hi 92818
Phone: 808-782-3213
E-mail: isataua@hawaii.edu
Submitted on: 3/8/2010

Comments:

Aloha, My name is Iseuleolemoana Cinderella Sataua. I am the Associated Student University of Hawaii-Honolulu Community College, Student Senate Business Manager and a former UH-HCC Student Caucus 2nd Delegate Representative. The UHSC delegation has passed a resolution in opposition to the Chapter 91 exemption proposed in SB2387 because it is felt that students will not be given enough consideration in the decision making process regarding new parking fees. Mahalo for your consideration of the student opposition to SB2387.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 2:56 PM
To: HEDtestimony
Cc: poima@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Poima Sataua
Organization: Individual
Address: 274 Koa Place unit 101 Honolulu Hi 92818
Phone: 808-457-0377
E-mail: poima@hawaii.edu
Submitted on: 3/8/2010

Comments:

Aloha, My name is Poima Vaaiga Sotoa Sataua. I am the Associated Student University of Hawaii-Honolulu Community College, President and UH Student Caucus 1st Delegate Representative. The UHSC delegation has passed a resolution in opposition to the Chapter 91 exemption proposed in SB2387 because it is felt that students will not be given enough consideration in the decision making process regarding new parking fees. Mahalo for your consideration of the student opposition to SB2387.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 4:21 PM
To: HEDtestimony
Cc: keokolo7@hotmail.com
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Keokolo Akina
Organization: Individual
Address:
Phone:
E-mail: keokolo7@hotmail.com
Submitted on: 3/8/2010

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 09, 2010 8:40 AM
To: HEDtestimony
Cc: malles@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Melinda Alles
Organization: Individual
Address: HCR 2 Box 6825 Keaau, HI
Phone: 808-854-5702
E-mail: malles@hawaii.edu
Submitted on: 3/9/2010

Comments:

Aloha, My name is Melinda Alles. I am the Associated Student University of Hawaii-Hawaii Community College, Treasurer and UH Student Caucus Alternate Delegate Representative. The UHSC delegation has passed a resolution in opposition to the Chapter 91 exemption proposed in SB2387 because it is felt that students will not be given enough consideration in the decision making process regarding new parking fees. Mahalo for your consideration of the student opposition to SB2387.

March 8, 2010

SB 2387 – Relating to the University of Hawai‘i

Aloha Chair Tokuda, Vice-Chair Sakamoto and Members of the Higher Education Committee:

My name is Kamakana M. Aquino, a junior at the University of Hawai‘i at Mānoa. I am also a Senator for the Associated Students of the University of Hawai‘i (ASUH). As a student at the University, I am writing in **opposition** to SB 2387, relating to the University. The parking at the University of Hawai‘i at Mānoa is an on-going issue between the administration and those that commute.

The passage of this bill in the legislature will deeply impact the students of the University that commute daily to receive an affordable education. Students should be able to testify their concerns publicly to the Board of Regents and the general public. Another reason, the general public also uses the parking area. There are various activities and events, especially the athletic games that are open to the general public.

As the only public institution of higher education in the State of Hawai‘i, public notices and public hearings should be entitled to the public. Please reconsider this bill as it greatly affects the parking fees for University students. Mahalo for taking the time to read my testimony.

Mahalo,

Kamakana M. Aquino

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 11:36 PM
To: HEDtestimony
Cc: juanguti@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Juan Gutierrez
Organization: student of west oahu
Address:
Phone:
E-mail: juanguti@hawaii.edu
Submitted on: 3/8/2010

Comments:

My name is Juan Gutierrez. I am UH West Oahu Student Association senator and UH Student Caucus representative. The UHSC delegation has passed a resolution in opposition to the Chapter 91 exemption proposed in SB2387 because it is felt that students will not be given enough consideration in the decision making process regarding new parking fees. Mahalo for your consideration of the student opposition to SB2387.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 09, 2010 1:41 AM
To: HEDtestimony
Cc: marking@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM
Attachments: SB2387_SD1_.pdf

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Mark Kaniela Ing
Organization: Associated Students of the University of Hawaii
Address: 2591 Dole St. Honolulu, HI
Phone: 8082762990
E-mail: marking@hawaii.edu
Submitted on: 3/9/2010

Comments:

Aloha, My name is Mark Kaniela Ing. ASUH has passed a resolution in opposition to SB2387. ASUH is concerned about this legislation because it would allow the Board of Regents to establish parking fees without requiring sufficient advance public notice and public hearing. Students would benefit from having the opportunity to know about changes in parking fees well before they are instituted. ASUH would like to see the legislature support students' interests and ensure that students have the opportunity to voice their opinions about changes in parking fees, which significantly impact many students.

Attached is a personal suggestion (not representing ASUH) of an amendment that serves to require an additional public hearing at least a week prior to the establishment of the establishments of fees. This amendment is not meant as a compromise but rather to both encompass the crux purpose of the bill while maintaining an adequate process for student input. If the bill will not be voted down, please consider this amendment in order to ensure a fair, cooperative, and transparent process in levying fees onto UH students. Mahalo

My name is Eve Millett, and I am a Senator for the College of Arts and Sciences for the Associated Students at the University of Hawaii (ASUH). ASUH has passed a resolution in opposition to SB2387, because we are concerned that if this legislation is passed that students will not have sufficient time to voice their opinions when it comes to the decision of parking fees that affects them directly. Please take this student opposition in consideration while discussing SB2387 today. Thank you.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 4:49 PM
To: HEDtestimony
Cc: stevendp@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Steven D. Phillips
Organization: Associated Student of the University of Hawaii (ASUH)
Address: 2569 Dole St. Apt 409 Honolulu, Hawaii
Phone: 808-956-0511
E-mail: stevendp@hawaii.edu
Submitted on: 3/8/2010

Comments:

Aloha, My name is Steven Phillips and I serve as a student senator here at UH. I would like to express my opposition toward SB2387 because I feel it would alienate students from the process of assigning parking fees. I most certainly agree that fees are a necessity, yet I also feel that student should be given the chance to voice concerns or opinions. I feel that SB2387 would cut students out of the loop and limit the about of imput or voice students have in fees that will affect their ultimate experience and possible retentation at UH. Thank you so much for all the hard work there, -Steven

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 09, 2010 9:47 AM
To: HEDtestimony
Cc: masado@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Michael A. Sado
Organization: Individual
Address: 211 Kukuau St. #301 Hilo, Hi
Phone:
E-mail: masado@hawaii.edu
Submitted on: 3/9/2010

Comments:

Aloha, My name is Michael Anthony Sado. I am the Hawaii Community College Student Association Vice President and UH Student Caucus Neighbor Island Senator At-Large. The UHSC delegation has passed a resolution in opposition to the Chapter 91 exemption proposed in SB2387 because it is felt that students will not be given enough consideration in the decision making process regarding new parking fees. Mahalo for your consideration of the student opposition to SB2387.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 08, 2010 4:22 PM
To: HEDtestimony
Cc: kiaras@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Kiara Sakamoto
Organization: Individual
Address:
Phone:
E-mail: kiaras@hawaii.edu
Submitted on: 3/8/2010

Comments:

Hello, I am Kiara Sakamoto, Secretary for the Associated Students of the University of Hawaii (ASUH). I (and ASUH) am in opposition to this bill because we believe that students have the right to public hearings and to ample notice of the implementation of new parking fees. ASUH has passed a resolution in opposition to both SB2387 and HB2051 because it diminishes the rights of the students to speak out on issues that directly affect them and would effectively exclude students from any conversations concerning the parking fees that they have to pay in order to go to class. I would personally like to see legislation that supports student rights and interests instead, giving them ample opportunity to speak about fees and other issues that will impact them. Please consider this student's opposition at your hearing on this bill. Thank you for your time.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 09, 2010 9:03 AM
To: HEDtestimony
Cc: steisha@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Steisha Sheather
Organization: Individual
Address:
Phone:
E-mail: steisha@hawaii.edu
Submitted on: 3/9/2010

Comments:

Hi, my name is Steisha Sheather and I am the Leeward Community College's second delegate on the University of Hawaii Student Caucus. Caucus has passed a resolution in opposition to the Chapter 91 exemption proposed in SB2387 due to the fact that our students will not enough say in whether or not these parking fees should be enforced. It will also not give the students enough CONSIDERATION.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 09, 2010 12:12 PM
To: HEDtestimony
Cc: koethe@hawaii.edu
Subject: Testimony for SB2387 on 3/9/2010 2:00:00 PM
Attachments: SRes 06-10 HB2051 and SB2387 parking fees and BOR Codified.doc

Testimony for HED/JUD 3/9/2010 2:00:00 PM SB2387

Conference room: 309
Testifier position: oppose
Testifier will be present: No
Submitted by: Anna Koethe
Organization: The Associated Students of the University of Hawai'i (ASUH)
Address: 2465 Campus Rd. CC211A Honolulu, HI 96822
Phone: (808) 956-4822
E-mail: koethe@hawaii.edu
Submitted on: 3/9/2010

Comments:

As the Chairperson for the Committee on External Affairs for the Associated Students of the University of Hawai'i (ASUH), I, Anna Koethe, stand in strong opposition of SB2387. If this bill is passed into law, it would have a gravely negative impact on the UH Manoa campus. Constituency groups such as ASUH will not be able to effectively represent students when it comes to issues concerning parking fees. Students will not have enough time to voice their opinions on this issue. Attached is a copy of the codified resolution passed by ASUH. On behalf of ASUH, I sincerely ask you to please consider how negatively students at UH Manoa will be affected, and to please oppose this bill.