

JAN 26 2011

---

---

# A BILL FOR AN ACT

RELATING TO THE BOARD OF REGENTS.

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

1           SECTION 1. Section 26-11, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§26-11~~ **University of Hawaii.** (a) The University of  
4 Hawaii shall be headed by an executive board to be known as the  
5 board of regents.

6           The board shall consist of [~~fifteen~~] nineteen members. At  
7 least [~~one member~~] five members shall be [a] students of the  
8 University of Hawaii: [~~student~~] system at the time of [~~the~~] their  
9 initial appointment[-] as follows:

10           (1) One student member shall represent the University of  
11           Hawaii at Manoa;

12           (2) One student member shall represent the University of  
13           Hawaii, West Oahu;

14           (3) One student member shall represent the University of  
15           Hawaii at Hilo;

16           (4) One student member shall represent the University of  
17           Hawaii community college system; and

18           (5) One student member shall be appointed at-large.



1 [This] Each student member may be reappointed for one additional  
2 term even though the member may no longer be a student at the  
3 time of reappointment. The governor shall reduce the terms of  
4 those initially appointed to each seat on the board of regents  
5 to provide, as far as practicable, for the expiration of three  
6 terms each year; provided that the term of the student member  
7 shall not be reduced.

8 (b) At least twelve members, except for the student  
9 [~~member,~~] members, shall represent and reside in the specified  
10 geographic areas as follows:

- 11 (1) Two members from the county of Hawaii;
- 12 (2) Two members from the county of Maui;
- 13 (3) One member from the county of Kauai; and
- 14 (4) Seven members from the city and county of Honolulu.

15 The board shall have the power, in accordance with the  
16 Hawaii constitution and with law, to formulate policy and to  
17 exercise control over the university through its executive  
18 officer, the president of the university. The board shall have  
19 exclusive jurisdiction over the internal organization and  
20 management of the university.



1           ~~[(b)]~~ (c) The board of regents shall appoint and may  
2 remove an executive officer to be known as the president of the  
3 University of Hawaii.

4           The University of Hawaii as heretofore constituted as a  
5 body corporate is continued as the University of Hawaii  
6 established by this chapter."

7           SECTION 2. Section 304A-104, Hawaii Revised Statutes, is  
8 amended by amending subsections (a) and (b) to read as follows:

9           "(a) The affairs of the university shall be under the  
10 general management and control of the board of regents  
11 consisting of ~~[fifteen]~~ nineteen members who shall be appointed  
12 and may be removed by the governor~~[-]~~; provided that five of the  
13 members shall be student members. Four student members shall  
14 represent the University of Hawaii at Manoa, University of  
15 Hawaii - West O'ahu, University of Hawaii at Hilo, and the  
16 community college system, respectively. One student member  
17 shall serve as a member at-large. Except as otherwise provided  
18 by law, state officers shall be eligible for appointment and  
19 membership. The term of each member shall be five years, except  
20 as provided for the initial appointment in section 26-11;  
21 provided that the term of the student ~~[member]~~ members shall be  
22 two years. Every member may serve beyond the expiration date of



1 the member's term of appointment until the member's successor  
2 has been appointed by the governor and confirmed by the senate  
3 in accordance with article X, section 6 of the Hawaii State  
4 Constitution. Members shall serve no more than two consecutive  
5 five-year terms; provided that the members who are initially  
6 appointed to terms of two years or less pursuant to section  
7 26-11(a) may be reappointed to two ensuing five-year terms. If  
8 a member is to be appointed to a second term of five years, the  
9 senate shall consider the question of whether to reconfirm the  
10 member at least one hundred twenty days prior to the conclusion  
11 of a member's first five-year term; provided that if the senate  
12 is not in session within one hundred twenty days prior to the  
13 conclusion of the member's first five-year term, the member  
14 shall continue to serve until the senate convenes for the next  
15 regular session or the next special session for which the senate  
16 is authorized to consider the question of reconfirmation.

17 (b) At its first meeting after June 30, the board of  
18 regents shall elect a chairperson and vice-chairperson, who  
19 shall serve until adjournment of its first meeting after June 30  
20 of the next year or thereafter until their successors are  
21 appointed. The board shall appoint a secretary, who shall not  
22 be a member of the board. The president of the university shall



1 act as executive officer of the board. From May 1, 2007 and  
2 until such time that the board of regents has at least fourteen  
3 members, seven members of the board of regents shall constitute  
4 a quorum to conduct business, and the concurrence of at least  
5 seven members of the board of regents shall be necessary to make  
6 any action of the board of regents valid; provided that upon  
7 filling at least [~~fourteen~~] seventeen of the [~~fifteen~~] nineteen  
8 board of regents seats required under subsection (a), a majority  
9 of the board of regents shall constitute a quorum to conduct  
10 business, and the concurrence of a majority of all the members  
11 to which the board of regents is entitled shall be necessary to  
12 make any action of the board of regents valid. The board shall  
13 meet at least ten times annually and, from time to time, may  
14 meet in each of the counties of Hawaii, Maui, and Kauai."

15 SECTION 3. Section 304A-104.5, Hawaii Revised Statutes, is  
16 amended by amending subsection (d) to read as follows:

17 "(d) In making its presentations, the regents candidate  
18 advisory council shall:

19 (1) Develop a statement that includes the selection  
20 criteria to be applied and a description of the  
21 responsibilities and duties of a member of the board



- 1 of regents and distribute this statement to potential  
2 candidates;
- 3 (2) Screen and qualify candidates for each position on the  
4 board of regents based on their background,  
5 experience, and potential for discharging the  
6 responsibilities of a member of the board of regents;
- 7 (3) Publicly advertise pending vacancies and actively  
8 solicit and accept applications from potential  
9 candidates;
- 10 (4) Develop and implement a fair, independent, and  
11 nonpartisan procedure for selecting candidates to  
12 serve on the board of regents;
- 13 (5) Ensure student involvement by establishing a student  
14 advisory group composed of:
- 15 (A) The senior student affairs officer of the  
16 University of Hawaii system;
- 17 (B) No fewer than three student representatives from  
18 the University of Hawaii student caucus who shall  
19 represent, to the maximum extent possible, the  
20 interests of the various University of Hawaii  
21 campuses on each island; and



1 (C) No fewer than three student life advisors who  
2 shall represent, to the maximum extent possible,  
3 the interests of the various University of Hawaii  
4 campuses on each island,  
5 who shall work with and assist the regents candidate  
6 advisory council to recruit and evaluate candidates  
7 for the student [~~member~~] members of the board of  
8 regents and make recommendations to the regents  
9 candidate advisory council based on the qualifications  
10 of the candidates applying for the position; and

11 (6) Require each candidate to disclose any existing or  
12 anticipated contracts with the University of Hawaii or  
13 any existing or anticipated financial transactions  
14 with the University of Hawaii.

15 Upon submission of the names of candidates to the governor, the  
16 regents candidate advisory council shall make available the  
17 names of candidates to the public through the University of  
18 Hawaii."

19 SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

21



1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY: *Amber Mercado K*

By Request





**Report Title:**

University of Hawaii; Board of Regents; Student Member

**Description:**

Increases the membership on the board of regents from fifteen to nineteen with five student members; requires that four student members represent the University of Hawaii Manoa, University of Hawaii - West O'ahu, University of Hawaii at Hilo, and the community college system, and one student member to serve at-large.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

