

**University of Hawai'i**  
**Regents Candidate Advisory Council**

Karl Fujii, Chair  
~~Neil Bellinger~~, Vice Chair  
L. Thomas Ramsey, Secretary  
Andres Albano, Member  
Nelson Befitel, Member  
Joseph Blanco, Member  
Somerset Wong, Member

THE HONORABLE DAVID Y. IGE, CHAIR  
Senate Committee on Ways and Means  
Hawaii State Legislature  
Regular Session of 2013  
State of Hawaii

February 21, 2013

LEGISLATIVE TESTIMONY PROVIDING CONCERNS REGARDING  
SB 1387, S.D. 1  
RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL

Hearing Date:  
Friday, February 22, 2013, 9:00 a.m., Conference Room 21

Submitted by:  
OFFICERS OF THE REGENTS CANDIDATE ADVISORY COUNCIL  
UNIVERSITY OF HAWAII

Chair Ige, Vice-Chair Kidani, and members of the Senate Committee on Ways and Means:

The officers of the Regent Candidate Advisory Council of the University of Hawaii (RCAC) submits for the Committee's consideration the following comments and amendments to HB 1071.

The proposed legislation amends section 304A-104.5, HRS, to give the governor the authority to reject the list of nominees to the board of regents of the University of Hawaii presented by the regents candidate advisory council and require the regents candidate advisory council to provide another list of nominees within sixty days.

Preserving the Transparency of the existing RCAC Process

We proposed any proposed language preserve the transparency of the existing RCAC process. Depending on the number and type of regent vacancies needing filing, the bill requires the RCAC upon the rejection of the list, to send the governor a new list within 60 days. We understand an emerging alternative may be rather than the governor "rejecting the list", the governor just be allowed to "ask for additional names". Requesting more names or a new list should only occur after (1) the Governor personally interviews each and every candidate on the list presented by the RCAC, and (2) the Governor publicly disclosing in writing the governor's specific objections for rejecting each candidate on the list. Without the governor's rationale behind rejecting the names only frustrates and clouds the existing selection process. We suggest a more practicable approach is to have each member of the RCAC (each appointed by a key stakeholder in the University), actively recruit candidates for consideration (see RCAC membership - Attachment #1). RCAC members should also meet personally with the Governor prior to the start of any recruitment process so that each RCAC member hears firsthand the views and thoughts of the appointing authority.

### Additional Time to Supply a New List of Candidates

Should the governor actions require the RCAC to furnish a new list of regent candidates, and depending on the number of new candidates that need to be furnished, we suggest the RCAC have up to ninety (90) days to complete such task. There are prescribed statutory and process actions that are performed by the RCAC; and depending on the number of names that need to be furnished, 60 days may not be sufficient (see Attachment #2- RCAC Process).

It is important to note that the Western Association of Schools and Colleges (WASC) and the Accrediting Commission for Community and Junior Colleges (ACCJC) have gone on record to say their focus on accreditation is how the Board is functioning. The issue of how UH Regents are selected, or the qualifications of members of the Board of Regents was never raised as an issue in any UH campus accreditation. In addition to the RCAC screening process, the governor remains the appointing authority for the Board of Regents. The Senate also continues to provide the important role of advise and consent on the Governor's nominee.

The RCAC selection process involves seeking out university regent candidates who are broadly representative of the public interest and public good, bring diverse skill sets and points or views to the board, and have the commitment and qualifications to serve (See Attachment #3). The Council's selection process is comprehensive, transparent, well balanced, and solely and exclusively merit-based. The compilation of candidate regents lists occurs only after the RCAC completes its comprehensive review and selection process. It is significant that for the first time in the UH's 100 year existence, the RCAC process encourages all UH stakeholders to participate in the selection process by submitting BOR candidates for consideration. (Attachment #4 is a compilation of all RCAC lists since the Council's inception).

### Board of Regents Leadership

In 2010, there was an amendment to HRS Section 304A-104 to elect the officers of the BOR at a meeting preceding July 1<sup>st</sup> of each year. We propose that the election of officers be held after July 1<sup>st</sup>, when the new appointees begin their terms. (See Attachment #5)

In closing, we strongly urge the Committee to incorporate these suggested amendments into S.B. 1387, S.D. 1.

Karl Fujii, Chair  
Thomas Ramsey, Secretary  
Regents Candidate Advisory Council  
University of Hawaii  
Ph.: 808.692.1218  
Email: [borapp@hawaii.edu](mailto:borapp@hawaii.edu)

Attachments

## REGENTS CANDIDATE ADVISORY COUNCIL



### UH ALUMNI MEMBER

Karl Fujii  
Chair

Term ends 6/30/15



### FACULTY MEMBER

L. Thomas Ramsey  
Secretary

Term ends 6/30/15



### SENATE MEMBER

Andres Albano  
Term ends 6/30/13



### STUDENT MEMBER

Summerset Wong  
Term ends 6/30/15



### HOUSE MEMBER

Neil Bellinger <sup>RESIGNED</sup>  
Vice Chair Feb. 2013

Term ends 6/30/13



### EMERITUS REGENTS

Joseph F. Blanco  
Term ends 6/30/15

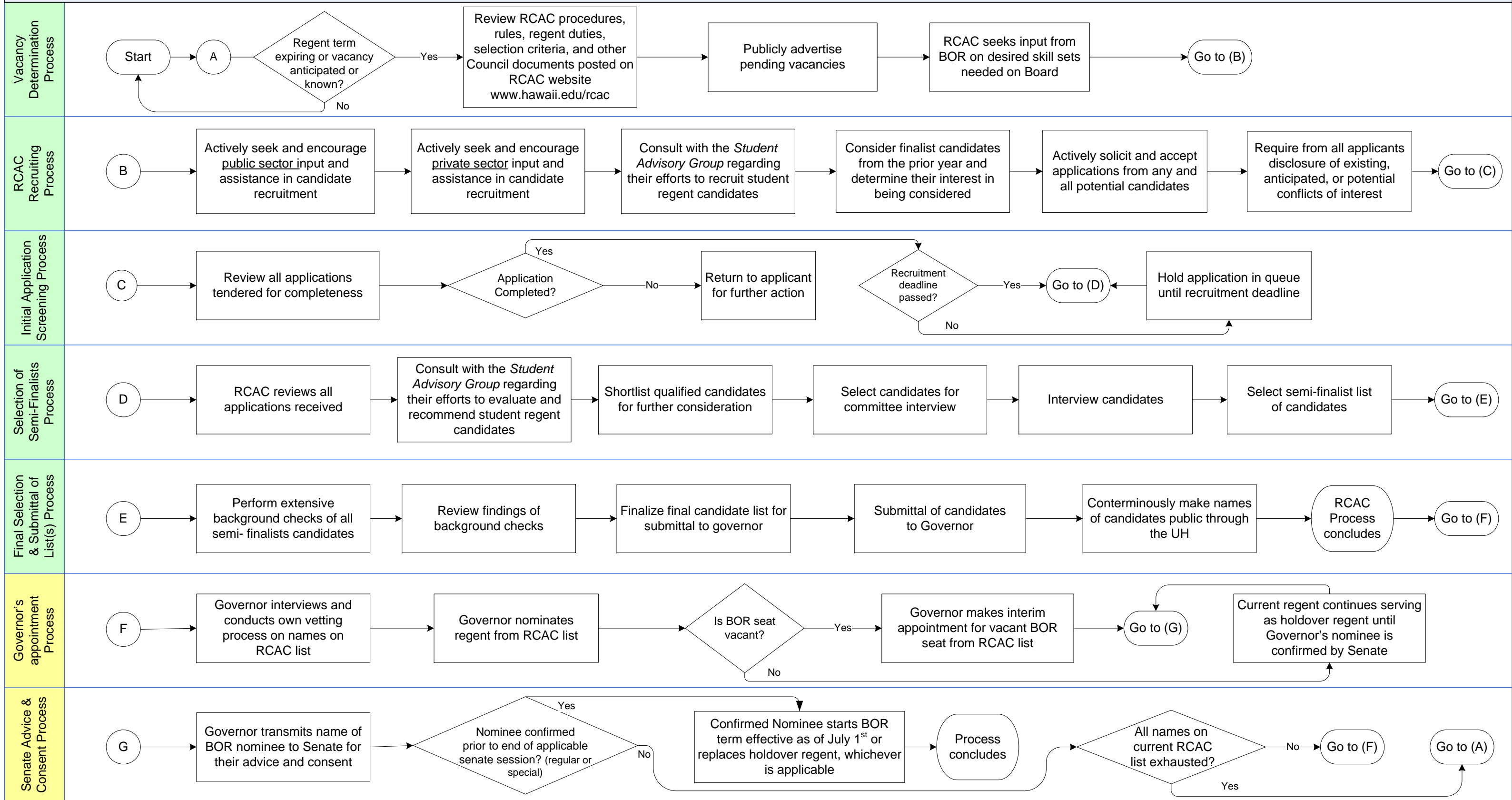


### GOVERNOR'S OFFICE

Nelson B. Befitel  
Term ends 6/30/13

# University of Hawaii Regent Selection Process

LEGEND RCAC Process External Process



# UNIVERSITY OF HAWAII BOARD OF REGENTS

## (Appointment Term and Regent Background)



**Investment/Asset Manager**  
**ERIC K. MARTINSON**  
 Chair  
 Honolulu County  
 Term ends 2014



**CPA/Attorney & Restaurant Executive**  
**JAMES H. Q. LEE**  
 Vice Chair  
 Honolulu County  
 Term ends 2014



**Real Estate & Agriculture Consultant**  
**CARL CARLSON, JR.**  
 Vice Chair  
 Hawaii County  
 Term ends 2016



**Retired Diplomat Asia-Pacific/Middle East**  
**JOHN C. HOLZMAN**  
 Honolulu County  
 Term ends 2014



**Planning, Land Use, Public Works/Attorney**  
**MICHAEL A. DAHLIG**  
 At Large  
 Term ends 2013  
 (Resigned January 2, 2013)



**Attorney/Judge**  
**ARTEMIO C. BAXA**  
 Maui County  
 Term ends 2013



**Former Public Utility Senior Executive**  
**Former County Finance Director**  
**BARRY MIZUNO**  
 Hawai'i County  
 Term ends 2013



**Educator/Travel Industry Management**  
**CHUCK Y. GEE**  
 Honolulu County  
 Term ends 2015



**Land Use Attorney**  
**BENJAMIN KUDO**  
 At-Large  
 Term ends 2017



**Banker/Venture Capitalist**  
**JOHN DEAN**  
 Honolulu County  
 Term ends 2017



**Real Estate Development Land Planning**  
**TOM SHIGEMOTO**  
 Kaua'i County  
 Term ends 2017



**Non-Profit Senior Executive/Attorney**  
**CORALIE MATAYOSHI**  
 Honolulu  
 Term ends 2017



**Graphic Artist & Communications Executive**  
**SAEDENE OTA**  
 Maui County  
 Term ends 2017



**High Technology Executive Land Use Attorney**  
**JAN SULLIVAN**  
 Honolulu  
 Term ends 2017



**Graduate Student**  
**JEFFERY ACIDO**  
 At-Large Student Seat  
 Term ends 2014

Appointed by Governor Lingle

Appointed by Gov. Abercrombie

Appointed by Lingle & Abercrombie (2 appointment terms)

### LEGEND

## Geographical Representation and RCAC List Submittal Requirements

### GEOGRAPHICAL REPRESENTATION

(15 seats total)

- Hawaii County - 2 seats
- Maui County - 2 seats
- Kauai County - 1 seat
- Honolulu City/County - 7 seats
- At-Large - 3 seats including student regent



### RCAC LIST SUBMITTAL REQUIREMENTS

(RCAC candidate nominees per vacancy type)

#### SINGLE SEAT VACANCY

- minimum 2/maximum 4

#### MULTIPLE SEATS VACANCY (WITHIN SAME COUNTY)

- 2 vacancies – minimum 4/maximum 6
- 3 vacancies – minimum 5/maximum 8
- more than 3 vacancies - minimum 3 for final open seat

### Listing of RCAC Appointees and Finalists for the UH Board of Regents

SEAT	NAME OF APPOINTEE	TERM OF APPOINTMENT	Names of Other Finalists
<b>At Large</b>			
1 <sup>st</sup> recruitment (2 seats)	Teena Rasmussen	7/1/08 - 6/30/12	Andres Albano, Jr.
	<i>Catherine Lagareta (rejected by State Senate)</i>	-----	Terri Ann Motosue
	Michael Dahilig ( <i>RESIGNED 01/02/13</i> )	7/1/08 - 6/30/13	
2 <sup>nd</sup> recruitment	Benjamin Kudo , Ph.D., J.D.	7/1/12 - 6/30/17	Gregory Chun
			Patrick DeLeon
			Georgia McMillen
3 <sup>rd</sup> recruitment		7/1/13 - 6/30/18	John Fink
			Randolph Moore
			Eric Seitz
<b>City &amp; County of Honolulu</b>			
1 <sup>st</sup> recruitment (5 seats)	Mark Fukunaga	7/1/08 - 6/30/11	Robin Campaniano
	Chuck Gee	7/1/08 - 6/30/10	Doris Ching
	Dennis Hirota	7/1/08 - 6/30/12	
	Howard Karr	7/1/08 - 6/30/11	
	Eric Martinson	7/1/08 - 6/30/09	
2 <sup>nd</sup> recruitment (3 seats)	John Holzman	7/1/09 - 6/30/14	Doris Ching
	James Lee	7/1/09 - 6/30/14	James McCoy
	Eric Martinson	7/1/09 - 6/30/14	
3 <sup>rd</sup> recruitment	Chuck Gee	7/1/10 - 6/30/15	Terri Fujii
4 <sup>th</sup> recruitment (2 seats)	Coralie Matayoshi	7/1/11 - 6/30/16	Terri Fujii
	Jan Sullivan	7/1/11 - 6/30/16	Mark Fukunaga
			Dale Saito
			Keith Vieira
5 <sup>TH</sup> recruitment	John Dean	7/1/12 - 6/30/17	Ronald Ho
			Carol Mon Lee
			Keith Vieira

SEAT	NAME OF APPOINTEE	TERM OF APPOINTMENT	Names of Other Finalists
<b>Hawai'i County</b>			
1 <sup>st</sup> recruitment (2 seats)	Carl Carlson*	7/1/08 - 6/30/11	Sandra Scarr
	Harvey Tajiri ( <i>RESIGNED 2/25/10</i> )	7/1/08 - 06/30/13	Ronald Terry
Special recruitment #1 to replace Tajiri)	Clifford Dias ( <i>interim appt by Lingle until confirmed by Senate</i> )	05/10/10 - 5/5/11	Patrick Naughton
	<i>Patrick Naughton (appointed by Abercrombie to replace Clifford Dias but rejected by State Senate)</i>	-----	
Special recruitment #2 to replace Tajiri	Barry T. Mizuno	3/9/12 - 6/30/13	Gregory Chun
2nd recruitment	<i>Sandra Scarr (appointed by Abercrombie but rejected by State Senate)</i>	-----	Carl Carlson
	Carl Carlson <i>held over by governor</i> Carl Carlson confirmed by Senate	7/1/11 - 6/30/12 7/1/12 - 6/30/16	
3rd recruitment		7/1/13 - 6/30/18	Barry Mizuno
			Roy Vitousek
<b>Kaua'i County</b>			
1 <sup>st</sup> recruitment	Ramón de la Peña	7/1/08 - 6/30/12	Thomas Cooper
2 <sup>nd</sup> recruitment	Tom Shigemoto	7/1/12 - 6/30/17	Klaus Keil
<b>Maui County</b>			
1 <sup>st</sup> recruitment	Artemio Baxa	7/1/08 - 6/30/13	Paul Horikawa
2 <sup>nd</sup> recruitment	Ronald Montgomery (rejected by State Senate)	----	Saedene Ota
	James Haynes ( <i>held over by Lingle</i> )	7/1/10 - 5/4/11	
	Saedene Ota (Abercrombie appointed)	5/5/11 - 6/30/15	
3 <sup>rd</sup> recruitment		7/1/13 - 6/30/18	Eugene Bal
			Artemio Baxa
			Georgia McMillen
<b>Student</b>			
1 <sup>st</sup> recruitment	Grant Teichman	7/1/08 - 6/30/10	Joshua Wingstrom
2 <sup>nd</sup> recruitment	Matthew Williams	7/1/10 - 6/30/12	Jett Jaspar
			Hannah Miyamoto
3 <sup>rd</sup> recruitment	Jeffrey Acido	7/1/12 - 6/30/14	Matthew Williams



## Suggested Proposed changes to 304A-104 (b)

SECTION 1. Section 304A-104, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) At its first meeting after June 30, ~~{a meeting preceding July 1 of each year}~~, the board of regents shall elect a chairperson and vice-chairperson, who shall serve until adjournment of its first meeting after ~~[up to two vice chairpersons whose terms shall be from July 1 to]~~ June 30 of the next year or thereafter until their successors are appointed. ~~[elected.]~~ The board shall appoint a secretary, who shall not be a member of the board. The president of the university shall act as executive officer of the board. A majority of the board of regents shall constitute a quorum to conduct business, and the concurrence of a majority of all the members to which the board of regents is entitled shall be necessary to make any action of the board of regents valid. The board shall meet at least ten times annually and, from time to time, may meet in each of the counties of Hawaii, Maui, and Kauai."





**LATE**

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

February 22, 2013, 9:00 AM  
State Capitol Room 211

Testimony of  
Policy Office of the Governor, State of Hawaii

To the Senate Committee on Ways and Means  
Senator David Ige, Chair, Ways and Means Committee  
Senator Michelle Kidani, Vice Chair, Ways and Means Committee

SB 1387\_SD1 – Relating to the Regents Candidate Advisory Council

Chair Ige, Vice Chair Kidani, and members of the Committee:

Thank you for the opportunity to provide testimony in support of Senate Bill 1387, Senate Draft 1 (SB1387\_SD1) with comments. The bill proposes amendments to 304A-104.5 of HRS. The amendments would give the Governor the authority to reject a list of nominees to the University of Hawaii Board of Regents and require the Regents Candidate Advisory Council (RCAC) to provide another list of nominees. Senate Draft 1 also makes the terms of the RCAC members to be for the duration of the term of the members' appointing authority; the effect is to ensure that each RCAC member has been appointed by the current leader of the stakeholder group that they represent.

The Governor supports increased flexibility in being able to appoint Regents. SB1387\_SD1 provides some additional flexibility by giving the Governor the opportunity to request an additional list of candidates from the RCAC. We suggest that this bill be amended to allow the Governor to request additional names without rejecting the entire list presented initially by the RCAC.

Other bills being considered by the Legislature provide the Governor with additional flexibility in recruiting, selecting and appointing Regents: SB563\_SD1 and SB453.

The Governor believes that the University of Hawaii (UH) system is the single most underutilized public resource in Hawaii. UH contributes to and plays a leadership role in every element of improving Hawaii. The UH Regents provide vital leadership to ensure that college is accessible and affordable for students on all islands, support the entrepreneurial professor, facilitate innovation and technology transfer, support

renovation, support premier education and research projects, and improve student success.

In making appointments for boards and commissions, the Governor considers the individual qualities—personal and professional—of the candidates, as well as how the candidates would balance the board in terms of their experience, skill sets or perspectives. The Board of Regents' balance among the members is important to fulfill the Board's charge to govern and steward public higher education.

In the most recent RCAC list of Regents candidates, the RCAC provided 2-3 candidates for each open seat. Governor Abercrombie believes that additional flexibility is needed to balance many characteristics of the candidates to reflect the diversity of Hawaii and the functional needs of the Board of Regents. Considering only a limited "short list" of candidates currently provided by a candidate advisory council makes it extremely challenging to balance the Board on the many dimensions of importance to the University and our state.

The UH and state are best served by a process that increases the Governor's flexibility to appoint Regents which is accomplished, in part, by this bill.

Thank you for your consideration.