

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

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

THE HONORABLE REPRESENTATIVE SYLVIA LUKE, CHAIR  
House Committee on Finance  
Hawaii State Legislature  
The Twenty-Seventh Legislature, Regular Session of 2013

LEGISLATIVE TESTIMONY IN OPPOSITION OF PORTIONS OF  
S. B. 563, S.D. 3, H.D. 1  
RELATING TO THE UNIVERSITY OF HAWAII

Hearing Date:  
2:00 pm April 1, 2013  
Conference Room 308

Submitted by:  
THE REGENTS CANDIDATE ADVISORY COUNCIL  
UNIVERSITY OF HAWAII

Chair Luke, Vice-Chairs Nishimoto and Johanson, and members of the House Committee on Finance:

The Regents Candidate Advisory Council (RCAC) of the University of Hawaii submits testimony in opposition of portions of S. B. 563, S.D.3, H.D. 1. In general, the current version of the proposed legislation calls for amending the form, membership, and functions of the Candidate Advisory Council, and modifies the date when regents annually elect their board leadership. On matters that specifically concern the RCAC, the bill proposes:

- Changing to the composition of the seven-member Council;
- Consolidating the appointing authority on at least four, and possibly five of the council members (i.e. the representative of the UH Alumni Association);
- Deleting language in Section 304A-104.5 that sets the respective duration of the appointment term for each council member; and
- Increasing the minimum number of candidate names the Council must submit to the governor for each regent seat being filled.

The adverse impacts of these proposed provisions are:

- It defeats the original purpose and intent of the constitutional amendment (which was overwhelmingly ratified by the Hawaii voters in 2006)
- It usurps the subsequent enabling legislation (Act 56, 2007 Legislature, which was passed only after substantial and thorough public debate and scrutiny, and a legislative override of then Governor Lingle's veto);
- There will no longer be a designated Council seat for a UH faculty and a UH student;
- With the exception of the appointments by the House Speaker and Senate president, the appointing authority for four and possibly five of the remaining members is the governor;
- The seat occupied by the Association of Emeritus Regents will now be ex-officio and nonvoting;
- No term of appointment is provided for each council member after the Council is reconstituted pursuant to the Act, and
- The Council will likely experience a difficult time meeting the new requirement of submitting more than two qualified names for neighbor island vacancies.

Because of these adverse impacts, and Council's recent discussions with the Executive Chambers, we respectfully urge the House to refrain from passing any legislation that **substantively** amends or modifies the form, membership, and/or functions of the Council.

For the very first time since the Council formation back in 2007, representatives of the Council and a high-ranking senior official from the Executive Chambers met approximately two weeks ago to discuss and pledge to each other to establish a much closer working relationship. Council members strongly encouraged the Governor to begin the practice of convening a meeting with Council members prior to the start of each regent recruitment cycle. What was abundantly clear in our meetings is that the Council and the Executive Chambers share identical goals of seeking out regent candidates who broadly represent the public interests, brings diverse skill sets and points or views to the board, serves solely for the good of the public, and has the time, commitment, and qualifications to serve. We both seek candidates who display a heightened focus on appropriate management oversight, and who want to govern and serve in a transparent manner. We also shared similar experiences of the challenges finding qualified candidates from the neighbor islands who are willing to serve.

The meeting also included a detailed briefing of the RCAC recruitment process Attachment #1), which is comprehensive, transparent, well balanced, solely and exclusively merit-based. We also discussed the attached roster of RCAC members (Attachment #2) and noted that the terms of members appointed by former Governor Lingle, and Senate President Tsutsui ends on June 30, 2013, and former House Speaker Say's appointment recently resigned from the Council. The Governor's office understands that even without the passage of any proposed legislation, the membership of the Council is likely going to change.

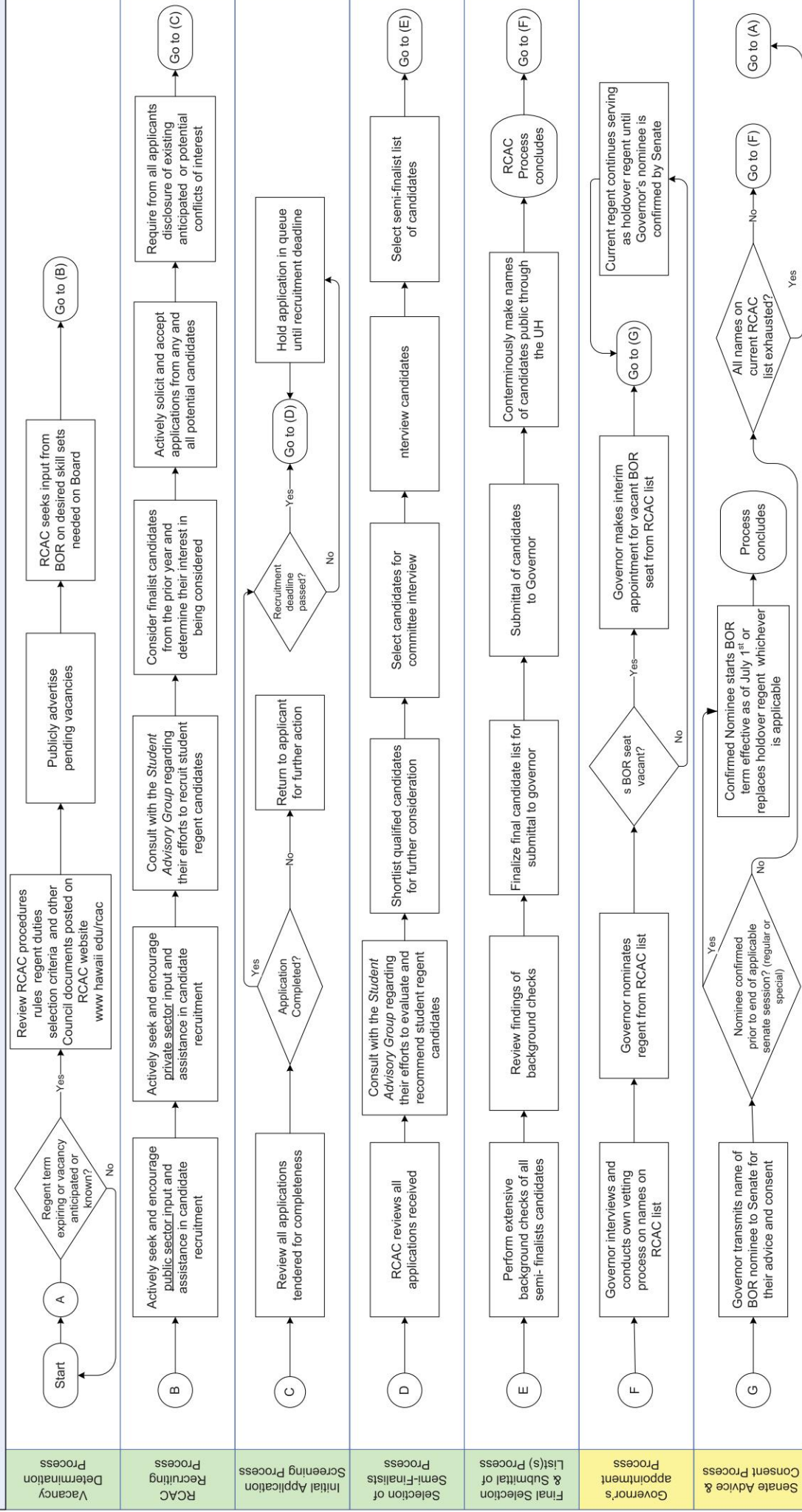
RCAC members discussed at length the current roster of regents, including the governor's recent nominees, the board's aggregate skill sets, and the remaining term of each board member (see Attachment #3). This attachment also highlighted that Governor Abercrombie appointed a majority of the BOR members. We also reiterated the important distinction between selecting regent candidates and how the Board of Regents governs the university. With a majority of the current regents appointed by Governor Abercrombie, improving board governance and management oversight is clearly an internal board issue.

Since this is the first time the Council and the Executive Chambers actually held a principals-level meeting, we respectfully ask the Committee to allow the current RCAC to continue unchanged for at least one additional year. Given the likelihood of new member additions to the Council and the renewed pledge between the Council and the Executive Chambers to work collaboratively and respectfully together is a major milestone in the RCAC selection process. Towards that end, we strongly urge the House to refrain from passing any legislation that substantively amends or modifies the form, membership, and functions of the RCAC.

As to the other proposed provisions to improve board governance, including but not limited to the Governor's removal of a regent for cause, and the timing of when the regents elect their chair and vice chair, the Council believes those proposed changes enhances board governance. Regarding proposed language that modifies the voting status of the Emeritus Regent seat, we leave that decision to the wisdom of the Legislature and the Governor.

Karl Fujii, Chair  
Regents Candidate Advisory Council  
University of Hawaii  
Phone: 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



**EMERITUS REGENTS**

Joseph F. Blanco  
Term ends 6/30/15



**GOVERNOR'S OFFICE**

Nelson B. Befitel  
Term ends 6/30/13

# UNIVERSITY OF HAWAII BOARD OF REGENTS

(Appointment Term and Regent Background)

ATTACHMENT #3



**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



**INTERIM APPOINTMENT**  
 3/119/13  
**Retired Business Executive**  
**RANDOLPH G. MOORE**  
 At Large  
 Term ends 2018  
 (Resigned January 2, 2013)



**NOMINATED 3/19/13**  
**Retired Military Officer**  
**Former IT Executive Director**  
**EUGENE BAL III**  
 Maui County  
 Term ends 2018



**RENOMINATED 3/19/13**  
**Former Public Utility Senior Executive**  
**Former County Finance Director**  
**BARRY MIZUNO**  
 Hawai'i County  
 Term ends 2018



**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

## LEGEND

Appointed by Governor Lingle

Appointed by Gov. Abercrombie

Appointed by Lingle & Abercrombie  
 (2 appointment terms)

## 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



**University of Hawai'i Student Caucus  
2012-2013**

March 30, 2013

To Chair Luke, Vice-Chairs Nishimoto and Johanson and Members of the House Committee on Finance:

On January 8, 2013, the University of Hawaii Student Caucus (UHSC) voted and passed the following statement in support of the Regents Candidate Advisory Council:

"We, the University of Hawaii Student Caucus, endorse the Regents Candidate Advisory Committee as part of the process of selecting Regents. It is a process which we believe provides the students with the opportunity to voice their interests and have their concerns be heard when selecting regents."

On March 30, 2013, the University of Hawaii Student Caucus appended over 1,000 student signatures from all University of Hawaii System campuses to the above resolution. This reaffirms UHSC's position to maintain the students' voice in the Board of Regents selection process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tracey L. Imper'.

**Tracey L. Imper**  
Chairperson  
University of Hawai'i Student Caucus