

STAND. COM. REP. NO.

43

Honolulu, Hawaii

FEB 06 2019

RE: S.B. No. 919  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Higher Education, to which was referred  
S.B. No. 919 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to amend the  
composition of the Board of Regents of the University of Hawaii by  
reducing the number of board members from fifteen members to seven  
members and shortening term lengths from five years to three  
years.

Your Committee received testimony in support of this measure  
from the Office of Hawaiian Affairs.

Your Committee finds that the affairs of the University of  
Hawaii fall under the general management and control of the Board  
of Regents. The Board formulates policy and exercises control  
over the university through its executive officer, the President  
of the university, and has exclusive jurisdiction over the  
internal structure, management, and operation of the university.  
However, your Committee also finds that certain matters of the  
University of Hawaii are matters of statewide concern as  
contemplated under Article X, Section 6, of the Hawaii State  
Constitution.



Your Committee further finds that the University of Hawaii and the State are best served by reassessing and seriously considering making significant changes to the composition and responsibilities of the Board of Regents to ensure accountability and transparency for the university, its students, and the public.

Your Committee has amended this measure by:

- (1) Amending the composition of the Board of Regents of the University of Hawaii by:
  - (A) Increasing the number of board members from seven members to nine members;
  - (B) Removing the at-large member from the Board;
  - (C) Restoring the number of board members from the County of Hawaii to two members and specifying that, of the two members, one member shall be from east Hawaii and one member shall be from west Hawaii;
  - (D) Increasing the number of board members from the City and County of Honolulu from two members to four members, of which two members shall represent and reside in the first congressional district and the other two members shall represent and reside in the second congressional district; and
  - (E) Requiring that at least one member of the Board shall have demonstrated expertise in native Hawaiian traditional and customary practices;
- (2) Requiring the Board of Regents to hold the President of the University of Hawaii and university administration accountable for decisions, actions, and leases that incur additional costs to the university;
- (3) Increasing the term length of board members from three years to four years;
- (4) Specifying that a member of the Board of Regents whose term has expired and continues to serve on the Board as



a holdover member shall not serve as a member of the Board beyond the end of the first regular legislative session following the expiration of the member's term;

- (5) Specifying that no law or rule shall prohibit discussions between one or more members of the Board of Regents and members of the Legislature; and
- (6) Specifying that no member of the Board of Regents shall be required to seek permission prior to engaging in any discussions with members of the Legislature.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 919, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 919, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Higher Education,



DONNA MERCADO KIM, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Higher Education**  
**HRE**

Bill / Resolution No.:* <i>SB 919</i>	Committee Referral: <i>HRE, WAM</i>	Date: <i>1/31/19</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
KIDANI, Michelle N. (VC)	/			
KAHELE, Kaiali'i	/			
KEITH-AGARAN, Gilbert S.C.	/			
FEVELLA, Kurt				/
<b>TOTAL</b>	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Michelle N. Kidani</div>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes