
A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1 SECTION 1. The legislature finds that individual
2 legislators and other elected officials of the State and its
3 counties have a wide range of experience in the public and
4 private sectors, and often bring specialized knowledge and
5 insight to policymaking. The legislature also finds, however,
6 that active faculty members of the university of Hawaii are not
7 among these elected officials, due to a university policy that
8 requires university employees to resign or be separated from
9 their university positions upon being sworn into office. The
10 same university policy also provides that current elected
11 officials will not be hired as university employees.

12 The legislature finds that faculty members bring important
13 perspectives to a number of fields, particularly science.
14 Notably, university of Hawaii faculty have conducted research
15 and have provided valuable empirical data on rising sea levels.
16 As an island state, Hawaii is disproportionately susceptible to
17 the impacts of sea level rise, which results from the effects of



1 climate change. Long-term sea level rise exacerbates hazards
2 such as chronic coastal erosion, impacts from seasonal high
3 waves, coastal inundation due to storm surge and tsunami, and
4 drainage problems due to the convergence of high tide and
5 rainfall run-off. Yet even as the public faces the effects of
6 global warming and other modern-day problems and the State is in
7 dire need of political leaders having a professional
8 understanding of these problems, university policy continues to
9 deny the public the opportunity to elect faculty members who
10 could become public leaders and limits the freedom of those
11 faculty members.

12 Accordingly, the purpose of this Act is to prohibit the
13 university of Hawaii from adopting or maintaining any policy
14 that precludes a legislator or other official elected or
15 appointed to an elective federal, state, or county office, or
16 candidate for any of those offices, from working at the
17 university of Hawaii as a faculty member, so long as the work
18 schedule and time demands related to the candidacy or duties of
19 elective office do not unreasonably conflict with those of the
20 faculty position.



1 The legislature declares that this issue is a matter of
2 statewide concern.

3 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
4 amended by adding a new section to part III to be appropriately
5 designated and to read as follows:

6 "§304A- Faculty as political candidates and elected
7 officials. (a) The university shall not adopt or maintain any
8 policy that prohibits a candidate for, or person elected or
9 appointed to, an elective federal, state, or county public
10 office from being employed in a faculty member position at the
11 university solely because of the person's candidacy for, or
12 election to, that elective office; provided that this section
13 shall not apply if the person's work schedule and time demands
14 related to the candidacy or duties of elective office
15 unreasonably conflict with those of the faculty position.

16 (b) As used in this section, "candidate" means a person
17 who has filed applicable nomination papers with the chief
18 election officer or county clerk for an elective federal, state
19 or county elective office."

20 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval
2 and upon ratification of a constitutional amendment that
3 provides that article III, section 8, of the Constitution of the
4 State of Hawaii shall not be construed to prohibit a member of
5 the legislature from being employed in a faculty member position
6 at the university of Hawaii solely because of the member's
7 membership in the legislature.

8

INTRODUCED BY:

Guthrie Thielou
Amy Penno

JAN 22 2020



H.B. NO. 2445

Report Title:

UH; Faculty; Elective Office

Description:

Prohibits the University of Hawaii from prohibiting a person elected or appointed to an elective federal, state, or county office, or candidate for any of those offices, from working as a University of Hawaii faculty member, unless work schedules and time demands unreasonably conflict. Takes effect upon the ratification of a constitutional amendment that provides that article III, section 8, of the Constitution of the State of Hawaii shall not be construed to prohibit a member of the legislature from being employed in a faculty member position at the University of Hawaii solely because of the member's membership in the legislature.

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

