

JAN 17 2020

A BILL FOR AN ACT

RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL.

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

1 SECTION 1. Section 304A-104.6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]§304A-104.6[+]~~ Candidate advisory council for the
4 board of regents of the University of Hawaii. (a) The
5 candidate advisory council for the board of regents of the
6 University of Hawaii shall recruit, evaluate, and present to the
7 governor qualified candidates for nomination to a vacant seat on
8 the board of regents. The candidate advisory council shall be
9 ~~[attached to the University of Hawaii for administrative~~
10 ~~purposes.]~~ placed within the office of the governor.

11 (b) The candidate advisory council shall:

12 (1) Develop and implement a fair and independent procedure
13 for evaluating candidates to serve on the board of
14 regents;

15 (2) Require candidates and members of their immediate
16 families to disclose any existing or anticipated



- 1 contracts or financial transactions with the
2 University of Hawaii;
- 3 (3) Actively solicit and accept applications from
4 potential candidates[+] and recommendations for
5 potential candidates from third parties;
- 6 (4) Evaluate candidates for the board of regents on their
7 background, experience, and potential for discharging
8 the responsibilities of a member of the board of
9 regents, based upon the qualifications imposed by the
10 Hawaii State Constitution; and
- 11 (5) Present [~~a list of at least three~~] candidates to the
12 governor for nomination and appointment for each
13 vacant seat on the board of regents of the University
14 of Hawaii.
- 15 (c) The candidate advisory council shall initiate the
16 recruitment and evaluation of candidates for each vacancy on the
17 board of regents [~~within~~
- 18 ~~(1) Sixty days of a vacancy, or~~
- 19 ~~(2) At least one hundred twenty days prior to the~~
20 ~~expiration of a regent's term].~~



1 (d) To provide continuity for the board of regents, the
2 governor may recommend to the candidate advisory council the
3 reappointment of a member of the board of regents, subject to
4 the advice and consent of the senate[-], in which case the
5 candidate advisory council may refrain from active solicitation
6 of applications and nominations.

7 (e) The candidate advisory council shall consist of [~~seven~~
8 ~~voting~~] at least three members to be appointed by the governor
9 without regard to section 26-34 [~~as follows~~]; provided that:

10 (1) One member [~~who~~] shall be appointed from a list of
11 three names submitted by the president of the senate;
12 and

13 (2) One member [~~who~~] shall be appointed from a list of
14 three names submitted by the speaker of the house of
15 representatives[~~;~~ and

16 ~~(3) Five members who shall be appointed by the governor].~~

17 ~~[A member of the Association of Emeritus Regents of the~~
18 ~~University of Hawaii, appointed by the chair of the Association~~
19 ~~of Emeritus Regents of the University of Hawaii, shall serve as~~
20 ~~an ex officio, nonvoting member of the candidate advisory~~
21 ~~council, for a term not to exceed two years; provided that the~~



1 ~~appointment shall run concurrently with the term of the~~
2 ~~appointing chair.~~

3 ~~The president of the senate, speaker of the house of~~
4 ~~representatives, and governor are encouraged to appoint full-~~
5 ~~time students of the university, university faculty, university~~
6 ~~staff, or university alumni to the candidate advisory council,~~
7 ~~provided that if a full-time student is appointed to the~~
8 ~~candidate advisory council, the student shall have been enrolled~~
9 ~~as a full-time student for at least three consecutive semesters~~
10 ~~and shall serve for a term of two years.]~~

11 (f) The governor shall select the chair of the candidate
12 advisory council.

13 ~~[(f)]~~ (g) Voting members of the candidate advisory council
14 shall serve ~~[for the following terms:~~

15 ~~(1) Those appointed by the president of the senate and~~
16 ~~speaker of the house of representatives shall serve~~
17 ~~for a term of four years; and~~

18 ~~(2) Those appointed by the governor shall serve for a term~~
19 ~~of four years; provided that such appointments shall~~
20 ~~run] at the pleasure of and concurrently with the term~~
21 ~~of the appointing governor.~~



1 ~~[(g)]~~ (h) Appointees to the candidate advisory council
2 shall have a general understanding of the purposes of higher
3 education, the mission and strategic goals of the University of
4 Hawaii system, and the role and responsibilities of the board of
5 regents. Appointees shall be individuals who are widely viewed
6 as having placed the broad public interest ahead of special
7 interests, are respected by the community, and are highly
8 qualified to recruit and evaluate candidates for the governor's
9 consideration.

10 ~~[(h) Any member of the candidate advisory council whose~~
11 ~~term has expired may continue in office as a holdover member~~
12 ~~until a successor is appointed; provided that a holdover member~~
13 ~~shall not hold office for more than six months following the~~
14 ~~expiration of the member's term of office.~~

15 ~~(i) A vacancy occurring in the membership of the candidate~~
16 ~~advisory council during a term shall be filled for the remainder~~
17 ~~of the unexpired term thereof by the appointing authority who~~
18 ~~appointed the member who creates the vacancy.~~

19 ~~(j)]~~ (i) The candidate advisory council shall operate in a
20 wholly nonpartisan manner. No member of the candidate advisory
21 council shall run for or hold any elected office of the State or



1 any of its political subdivisions while serving on the candidate
2 advisory council. A member of the candidate advisory council
3 shall resign from the candidate advisory council prior to filing
4 nomination papers for an elected office of the State or any of
5 its political subdivisions.

6 ~~[(k) The chairperson of the candidate advisory council~~
7 ~~shall be elected by a majority of the voting members of the~~
8 ~~candidate advisory council. A majority of the members to which~~
9 ~~the candidate advisory council is entitled shall constitute a~~
10 ~~quorum to conduct business. The concurrence of a majority of~~
11 ~~the voting members of the candidate advisory council shall be~~
12 ~~necessary to make any action of the candidate advisory council~~
13 ~~valid.] (j) The candidate advisory council shall meet annually~~
14 and at other times as necessary. The candidate advisory council
15 shall be exempt from part I of chapter 92.

16 ~~[(l)]~~ (k) Members of the candidate advisory council shall
17 serve without compensation but shall be reimbursed for expenses,
18 including travel expenses, necessary for the performance of
19 their duties."

20 SECTION 2. All appropriations, records, equipment,
21 machines, files, supplies, contracts, books, papers, documents,



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1 maps, and other personal property heretofore made, used,
 2 acquired, or held by the University of Hawaii relating to the
 3 functions transferred to the office of the governor shall be
 4 transferred with the functions to which they relate.

5 SECTION 3. Statutory material to be repealed is bracketed
 6 and stricken. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2020, and
 8 shall be repealed on June 30, 2024; provided that section
 9 304A-104.6, Hawaii Revised Statutes, shall be reenacted in the
 10 form in which it read on the day before the effective date of
 11 this Act.

12

INTRODUCED BY: *Anna Menado Ki*

Rosely L. Beh
Horace L. Amoye

[Signature]
Paul Riviere
Travis H. H. [Signature]
[Signature]
Michelle M. [Signature]
[Signature]



S.B. NO. 2572

Report Title:

Board of Regents of the University of Hawaii; Candidate Advisory Council; Office of the Governor

Description:

Transfers the candidate advisory council for the board of regents of the University of Hawaii from the University of Hawaii to the office of the governor. Amends other provisions relating to the candidate advisory council. Sunsets 6/30/2024.

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

