

STAND. COM. REP. NO. 2829

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 2823
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Higher Education, to which was referred
S.B. No. 2823 entitled:

"A BILL FOR AN ACT RELATING TO THE PRESIDENT OF THE
UNIVERSITY OF HAWAII SYSTEM,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the
president of the University of Hawaii from serving concurrently as
a campus chancellor.

Your Committee received testimony in opposition to this
measure from the University of Hawai'i System.

Your Committee finds that the professional obligations and
skill sets and priorities of the president of an entire public
state university system and chancellor responsible for the daily
operation of that system's flagship campus are very different.
Further, the inherent conflicts of interest between the two
positions are both plentiful and obvious.

Your Committee additionally finds that the University of
Hawaii Board of Regents engaged the Western Interstate Commission
for Higher Education (WICHE) to address whether the Board of
Regents should reconsider the 2001 separation of roles of the
president of the University of Hawaii system and the chancellor of
the University of Hawaii at Manoa. In their report, WICHE



strongly recommended maintaining the "structure in which the president of the University of Hawaii system is a distinct and separate position from the chancellor of the University of Hawaii at Manoa." Despite the recommendation of WICHE, the University of Hawaii Board of Regents continues to maintain a policy as to the duties of the president that is inconsistent with the recommendations of WICHE and the purpose and intent of this measure. The expressed policy of the Board of Regents is that the "president is the chief executive officer of the board, the University of Hawaii System, and the University of Hawai'i, Manoa."

The authority to change the existing policy of the Board of Regents to conform to the recommendations of WICHE or to achieve the purpose and intent of this measure is clearly with the Board of Regents. However, your Committee finds that until the Board of Regents formulates a resolution of its policy as to the duties of the President of the University and the recommendations of WICHE, the intent and purpose of this measure may continue to be a matter of statewide concern that warrants intervention on the part of the legislature. Your Committee strongly recommends that the Board of Regents implement policies consistent with the purposes of this Act.

Your Committee has amended this measure by:

- (1) Amending the effective date to July 1, 2050; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2823, 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,

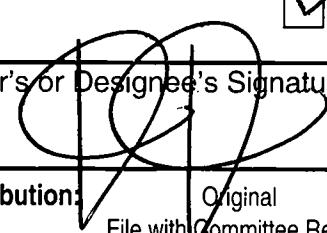


DONNA MERCADO KIM, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Higher Education
HRE

Bill / Resolution No.:* SB 2823	Committee Referral: HRE, WAM	Date: 1-30-20		
<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	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; font-size: 2em; margin-top: 10px;">  </div>				
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*Only one measure per Record of Votes