

JAN 26 2022

A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS.

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

1 SECTION 1. The legislature finds that Act 172, Session
2 Laws of Hawaii 2019, reduced the number of members of the board
3 of regents of the University of Hawaii from fifteen to eleven.
4 As such, the number of members whose terms will expire in the
5 coming years is not evenly distributed and may result in sudden
6 losses of institutional knowledge and experience. This
7 necessitates realignment of the terms of members appointed by
8 the governor until an equitable number of terms expire each
9 year. Because each member's term, with the exception of the
10 student member, is five years, two terms should expire each year
11 to provide for consistency and equity.

12 The legislature finds that the composition and term limits
13 of members of the board of regents of the University of Hawaii
14 is a matter of statewide concern that falls under its purview
15 pursuant to article X, section 6 of the Hawaii State
16 Constitution.

17 The purposes of this Act are to:

S.B. NO. 3155

(1) Provide for the expiration of two terms of members of the board of regents each year, instead of three terms; and

(2) Require the governor to adjust the terms of members appointed to the board of regents until the number of terms set to expire each year is two, not including the student member.

SECTION 2. Section 26-11, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

" (a) The University of Hawaii shall be headed by an executive board to be known as the board of regents.

The board shall consist of eleven members. At least one member shall be a University of Hawaii student at the time of the initial appointment. The governor ~~[shall]~~ may reduce the terms of those initially appointed to each seat on the board of regents to provide, as far as practicable, for the expiration of ~~[three]~~ two terms each year; provided that the term of the student member shall not be reduced.

The members, except for the student member, shall represent and reside in the specified geographic areas as follows:

- (1) Two members from the county of Hawaii;
- (2) Two members from the county of Maui;
- (3) One member from the county of Kauai; and

S.B. NO. 3155

1 (4) Five members from the city and county of Honolulu.

2 The board shall have the power, in accordance with the
3 Hawaii constitution and with law, to formulate policy and to
4 exercise control over the university through its executive
5 officer, the president of the university. The board shall have
6 exclusive jurisdiction over the internal organization and
7 management of the university."

8 SECTION 3. The governor shall adjust the terms of members
9 appointed to the board of regents as follows:

10 (1) The seats with terms that expire on June 30, 2022,
11 shall be filled by two members appointed to five-year
12 terms and one member appointed to a two-year term;

13 (2) The seats with terms that expire on June 30, 2023,
14 shall be filled by two members appointed to five-year
15 terms and one member appointed to a two-year term; and

16 (3) The seats with terms that expire on June 30, 2026,
17 shall be filled by two members appointed to five-year
18 terms and one member appointed to a three-year term.

19 These appointments shall be deemed initial appointments
20 under section 26-11, Hawaii Revised Statutes, under which the
21 governor is allowed to reduce the terms of those initially
22 appointed for purposes of achieving, as far as practicable, the
23 expiration of two terms each year.

S.B. NO. 3155

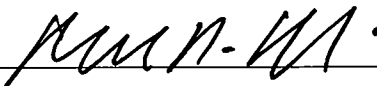
1 This section shall not apply to the student member.

2 SECTION 4. Statutory material to be repealed is bracketed
3 and stricken. New statutory material is underscored.

4 SECTION 5. This Act shall take effect upon its approval.

5

6

INTRODUCED BY: 

7

BY REQUEST

S.B. NO. 3155

Report Title:

University of Hawaii; Board of Regents

Description:

Changes the number of terms that should expire each year from three to two. Adjusts the terms of Board of Regents members appointed between 2022-2026 to realign the number of terms scheduled to expire each year.

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

JUSTIFICATION SHEET

DEPARTMENT: University of Hawaii

TITLE: A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS.

PURPOSE: To change the number of Board of Regents (BOR) terms that should expire each year from three to two; and adjust the terms of Board of Regents members appointed between 2022-2026 to realign the number of terms scheduled to expire each year.

MEANS: Amend section 26-11(a), Hawaii Revised Statutes.

JUSTIFICATION: This bill changes the number of BOR terms that should expire each year from three to two. Act 172, Session Laws of Hawaii (SLH) 2019, reduced the number of members on the BOR from 15 to 11. Given that each member serves a term of up to five years, except for the student member, there should be approximately two terms expiring each year to allow for continuity. Therefore, this change is a conforming amendment to Act 172, SLH 2019.

Impact on the public: None.

Impact on the department and other agencies: The Office of the Governor will need to ensure that appointments are made for the reduced terms as specified.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: UOH-900.

OTHER AFFECTED
AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.