

STAND. COM. REP. NO. **2327**

Honolulu, Hawaii

**FEB 15 2022**

RE: S.B. No. 3267  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committees on Higher Education and Labor, Culture and the Arts, to which was referred S.B. No. 3267 entitled:

"A BILL FOR AN ACT RELATING TO THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow the University of Hawaii to enter into contracts with the Research Corporation of the University of Hawaii for the purposes of supporting or facilitating sponsored research and training activities, or for advancing innovation and entrepreneurship in the State using funds appropriated by the Legislature; and
- (2) Require the University of Hawaii to consult with employee unions to review conformance positions with exceptions to collective bargaining for the purpose of employment of personnel.

Your Committees received testimony in opposition to this measure from the Research Corporation of the University of Hawaii, Maui Forest Bird Recovery Project, and fourteen individuals. Your Committees received comments on this measure from the University of Hawai'i System.



Your Committees find that the Research Corporation of the University of Hawaii, a public instrumentality of the State that is administratively attached to the University of Hawaii, was established in 1965 for the purposes of promoting, encouraging, initiating, developing, and conducting scientific research and investigation in all branches of learning, and disseminating to the public, the benefits of such research and investigation. However, recent issues regarding the blended use of the Research Corporation of the University of Hawaii beyond its stated purpose has created some ambiguity regarding employment of personnel and certain contracts for University of Hawaii projects. To support the continued pursuit of sponsored research and training activities, innovation, and entrepreneurship for the State, this measure authorizes the Research Corporation of the University of Hawaii to enter into contracts with the University of Hawaii for specific purposes and requires the University of Hawaii to consult with employee unions to review the conformance of positions with exceptions to collective bargaining.

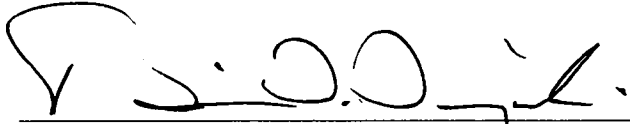
Your Committees have amended this measure by:

- (1) Authorizing the Research Corporation of the University of Hawaii's to retain contracts related to invasive species control and eradication;
- (2) Clarifying that the University of Hawaii is required to consult with employee unions only in cases where a state project or program, or state employee is involved; and
- (3) Inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the records of votes of the members of your Committees on Higher Education and Labor, Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3267, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3267, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on  
behalf of the members of the  
Committees on Higher Education  
and Labor, Culture and the  
Arts,



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BRIAN T. TANIGUCHI, Chair



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DONNA MERCADO KIM, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i


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

Bill / Resolution No.:* <b>SB 3267</b>	Committee Referral: <b>HRE/LCA, WAM</b>	Date: <i>met</i> <b>2-10-22</b> <i>2-10-22</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)	✓			
KEITH-AGARAN, Gilbert S.C.				✓
WAKAI, Glenn	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Michelle N. Kidani</i>				
<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

The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Labor, Culture and the Arts**  
**LCA**

Bill / Resolution No.:* <b>SB 3267</b>	Committee Referral: <b>HRE/LCA, WAM</b>	Date: <b>2-10-22</b>		
<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
TANIGUCHI, Brian T. (C)	✓			
IHARA, Jr., Les (VC)	✓			
CHANG, Stanley	✓			
KEOHOKALOLE, Jarrett				✓
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency            Committee File Copy				

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