



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Judiciary & Hawaiian Affairs
Wednesday, March 20, 2024 at 2:00 p.m.

by

Vassilis L. Syrmos, Vice President for Research and Innovation
University of Hawai'i System

SB 3191 SD1 HD1 – RELATING TO TECHNOLOGY TRANSFER AT THE UNIVERSITY OF HAWAII

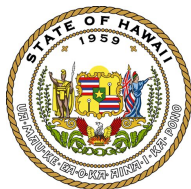
Chair Tarnas, Vice Chair Takayama, and Members of the Committee:

The University of Hawai'i (UH) is in strong support of SB 3191 SD1 HD1 that permanently authorizes UH to continue to regulate conflicts of interest and other ethical issues for its sponsored technology transfer activities.

In 2017, the Legislature backed UH's efforts to promote the commercialization of inventions and discoveries generated by its faculty, students and alumni by giving UH the responsibility to ensure that the technology transfer activities it sponsors comport with principles embodied in the State Ethics Code via Act 38, Session Laws of Hawai'i 2017. This much-needed authority granted to UH, as amended by Act 8, Special Session Laws of Hawai'i (SSLH) 2021, sunsets on June 30, 2024.

By aggressively encouraging, identifying and transforming the inventions and discoveries generated by its researchers into commercially viable products and businesses, UH is seeking to establish itself as a driver of economic health and workforce diversification in the state. With a regent's policy, an executive policy, and administrative procedures in place to assure compliance, technology transfer activities are progressing. To sustain this positive forward momentum, UH respectfully requests that the sunset provision of Act 8, SSLH 2021, be repealed through the passage of SB 3191 SD1 HD1.

Thank you for the opportunity to offer testimony on this measure.



HAWAI‘I STATE ETHICS COMMISSION

State of Hawai‘i · Bishop Square, 1001 Bishop Street, ASB Tower 970 · Honolulu, Hawai‘i

Committee: House Committee on Judiciary & Hawaiian Affairs
Bill Number: SB 3191 SD1 HD1
Hearing Date/Time: March 20, 2024, 2:00 p.m.
Re: Testimony of the Hawai‘i State Ethics Commission **COMMENTING**
on SB 3191, Relating to Technology Transfer at the University of
Hawai‘i

Aloha Chairs Tarnas, Vice Chair Takayama, and Committee Members:

The Hawai‘i State Ethics Commission (“Commission”) offers **comments** on SB 3191, which removes the sunset provision to an existing law allowing the University of Hawai‘i to commercialize technology and establish its own internal ethical standards to oversee such efforts.

Under Haw. Rev. Stat. § 84-10(b)(4), the Commission is supposed to review “each of the technology transfer activities . . . to assure compliance with ethics laws[.]” To date, no such review has been requested. Accordingly, no technology transfer has occurred to date because review by the Commission is a mandatory requirement in establishing a technology transfer exemption to the conflict of interest law.

Further, the Commission observes that because most of the ethics code is statutorily inapplicable to a technology transfer exemption,¹ it is unclear what such a review would accomplish.

Mahalo for the opportunity to submit these comments.

Very truly yours,

/S/ Robert D. Harris
Robert D. Harris
Executive Director and General Counsel

¹ The technology transfer exemption, Haw. Rev. Stat. § 84-10, when applicable exempts Haw. Rev. Stat. §§ 84-12, 13, 14-16, and 18.