

STAND. COM. REP. NO.

154

Honolulu, Hawaii

FEB 10 2023

RE: S.B. No. 249  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Higher Education, to which was referred  
S.B. No. 249 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 a  
person from concurrently serving as:

- (1) President of the University of Hawaii and chancellor of  
any University of Hawaii campus; and
- (2) Chief Procurement Officer of the University of Hawaii  
and President of the University of Hawaii.

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

Your Committee finds that it is a matter of statewide concern  
that the President of the University of Hawaii serves  
simultaneously as the Chancellor of the University of Hawaii at  
Manoa. Serving in both roles leads to inevitable conflicts of  
interest. Similarly, the President of the University of Hawaii  
simultaneously serving as the Chief Procurement Officer of the  
University also leads to conflicts of interest. This measure



eliminates these inevitable conflicts of interest by prohibiting the President of the University of Hawaii from serving simultaneously as President and Chancellor, and President and Chief Procurement Officer, respectively.

Your Committee notes Senate Bill No. 1197, Regular Session of 2023, which was additionally heard by your Committee, also removes the President of the University of Hawaii as the Chief Procurement Officer for the University of Hawaii and finds that, for purposes of clarity, Senate Bill No. 1197 is preferable for its stated purpose. Amendments to this measure are therefore necessary to reflect the preferred legislative vehicle to prohibit the President serving as the University of Hawaii's Chief Procurement Officer.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have prohibited the President of the University of Hawaii from serving concurrently as Chief Procurement Officer for the University;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) 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. 249, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 249, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Higher Education,

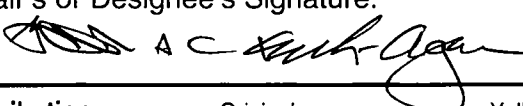


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DONNA MERCADO KIM, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

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

Bill / Resolution No.:* <b>SB 249</b>	Committee Referral: <b>HRE, JDC/WAM</b>	Date: <b>2/2/23</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
KIM, Donna Mercado (C)	X			
KIDANI, Michelle N. (VC)				X
FUKUNAGA, Carol		X		
KEITH-AGARAN, Gilbert S.C.	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>3</b>	<b>1</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				

\*Only one measure per Record of Votes