



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

June 27, 2019

**GOV. MSG. NO. 1274**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirtieth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 27, 2019, the following bill was signed into law:

HB398 HD1 SD2 CD1

RELATING TO THE UNIVERSITY OF HAWAII.  
**ACT 172 (19)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

# A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1           SECTION 1. The legislature finds that the composition and  
 2 term limits of members of the board of regents of the University  
 3 of Hawaii is a matter of statewide concern that falls under its  
 4 purview pursuant to article X, section 6, of the Hawaii State  
 5 Constitution.

6           The purpose of this Act is to amend the composition of the  
 7 members of the board of regents of the University of Hawaii.

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

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

12           The board shall consist of [~~fifteen~~] eleven members. At  
 13 least one member shall be a University of Hawaii student at the  
 14 time of the initial appointment. [~~This member may be~~  
 15 ~~reappointed for one additional term even though the member may~~  
 16 ~~no longer be a student at the time of reappointment.] The  
 17 governor shall reduce the terms of those initially appointed to  
 18 each seat on the board of regents to provide, as far as~~



1 practicable, for the expiration of three terms each year;  
2 provided that the term of the student member shall not be  
3 reduced.

4 [~~At least twelve~~] The members, except for the student  
5 member, shall represent and reside in the specified geographic  
6 areas as follows:

- 7 (1) Two members from the county of Hawaii;
- 8 (2) Two members from the county of Maui;
- 9 (3) One member from the county of Kauai; and
- 10 (4) [~~Seven~~] Five members from the city and county of  
11 Honolulu.

12 The board shall have the power, in accordance with the  
13 Hawaii constitution and with law, to formulate policy and to  
14 exercise control over the university through its executive  
15 officer, the president of the university. The board shall have  
16 exclusive jurisdiction over the internal organization and  
17 management of the university."

18 SECTION 3. Section 304A-104, Hawaii Revised Statutes, is  
19 amended by amending subsection (a) to read as follows:

20 "(a) The affairs of the university shall be under the  
21 general management and control of the board of regents. The



1 board shall consist of [~~fifteen~~] eleven members who shall be  
2 appointed by the governor from lists of qualified candidates  
3 presented to the governor by the candidate advisory council,  
4 pursuant to section 304A-104.6, and shall be confirmed by the  
5 senate; provided that if the list of qualified candidates  
6 includes fewer than three candidates at any time during the  
7 nomination and confirmation process, the governor may request  
8 that the candidate advisory council reopen recruitment for  
9 qualified candidates. Members may be removed by the governor.  
10 Except as otherwise provided by law, state officers shall be  
11 eligible for appointment and membership.

12 The term of each member shall be five years, except as  
13 provided for the initial appointment in section 26-11; provided  
14 that the term of the student member shall be two years. Every  
15 member may serve beyond the expiration date of the member's term  
16 of appointment as a holdover member until the member's successor  
17 has been appointed by the governor and confirmed by the senate  
18 in accordance with article X, section 6 of the Hawaii State  
19 Constitution[-]; provided that, notwithstanding any law to the  
20 contrary, a holdover member shall not serve as a member of the  
21 board beyond the end of the first regular session of the



1 legislature following the expiration of the member's term.  
2 Members shall serve no more than two consecutive five-year  
3 terms; provided that the members who are initially appointed to  
4 terms of two years or less pursuant to section 26-11(a) may be  
5 reappointed to two ensuing five-year terms. If a member is to  
6 be appointed to a second term of five years, the senate shall  
7 consider the question of whether to reconfirm the member at  
8 least one hundred twenty days prior to the conclusion of a  
9 member's first five-year term; provided that if the senate is  
10 not in session within one hundred twenty days prior to the  
11 conclusion of the member's first five-year term, the member  
12 shall continue to serve until the senate convenes for the next  
13 regular session or the next special session for which the senate  
14 is authorized to consider the question of reconfirmation."

15 SECTION 4. Notwithstanding any law to the contrary, the  
16 members of the board of regents of the University of Hawaii  
17 serving on the day of the effective date of this Act shall  
18 continue to serve the remainder of their current terms. As  
19 vacancies occur, the vacancies shall be filled in a manner that  
20 meets the composition requirements of section 304A-104(a),  
21 Hawaii Revised Statutes, as amended by section 3 of this Act.



1 SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect on June 30, 2019.

APPROVED this 27 day of JUN, 2019



GOVERNOR OF THE STATE OF HAWAII



HB No. 398, HD 1, SD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki  
Speaker  
House of Representatives

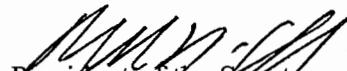


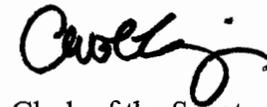
Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 30, 2019  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.

  
President of the Senate

  
Clerk of the Senate