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# 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.



**Report Title:**

University of Hawaii; Board of Regents; Composition

**Description:**

Amends the composition of the Board of Regents of the University of Hawaii and reduces the number of board members from 15 members to 11 members. Specifies terms of holdover board members. (HB398 CD1)

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

