STAND. COM. REP. NO. 3562

Honolulu, Hawaii

APR 1 1 2006

RE: S.C.R. No. 85

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Higher Education, to which was referred S.C.R. No. 85 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE UNIVERSITY OF HAWAII BOARD OF REGENTS' CONFLICT OF INTEREST POLICY,"

begs leave to report as follows:

The purpose of this measure is to request the Auditor to review the University of Hawaii Board of Regents' policy on conflict of interest, and recommend whether the Regents should have their financial disclosure statements, required under section 84-17, Hawaii Revised Statutes, be made available for review by the public.

Testimony in support of the measure was submitted by three individuals. The University of Hawaii opposed the measure.

Your Committee finds that although individual Regents may have recused themselves from decision-making because of conflicts of interest, the public is unable to determine whether other conflicts of interest may have existed when decisions were made. Mere recusal does not resolve the issue of conflict in a satisfactory manner. Accordingly, your Committee finds that the Board of Regents should not be less accountable than senior officials of the University. Your Committee further finds that public disclosure of the financial statements of individual Regents would be consistent with the statutory requirement currently applied to members of the Board of Education and the trustees of the Office of Hawaiian Affairs.

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As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 85 and recommends its adoption.

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

CLAYTON HEE Chair

## The Senate Twenty-Third Legislature State of Hawaii

## Record of Votes of the Committee on Higher Education (Bills and Resolutions)

SCR 85	Committee Referral: HRE		Date:	Date: 4/4/06		
The committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:						
The Recommendation is to:						
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)						
Members		Ayes	Ayes(WR)	Nays	Excused	
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INOUYE, Lorraine R. (VC)		<b>-</b>				
BAKER, Rosalyn H.					Laatoo gili kalkaan yeli bilga ga ja	
CHUN OAKLAND, Suzanne		<b>4. Y</b>				
SAKAMOTO, Norman						
TRIMBLE, Gordon		V				
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TOTAL		5				
Recommendation:  Adopted  Not Adopted						
Chair's or Designee's Signature:						
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

<sup>\*</sup>Do <u>not</u> list more than one measure per Record of Votes.