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## A BILL FOR AN ACT

RELATING TO GOVERNMENT OPERATIONS.

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

1           SECTION 1. Section 92-5, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) In no instance shall the board make a decision or  
4 deliberate toward a decision in an executive meeting on matters  
5 not directly related to the purposes specified in subsection  
6 (a) [-]; provided further that in no instance shall the board of  
7 regents of the University of Hawaii withhold recommendations,  
8 draft documents, proposals, suggestions, or other opinion  
9 materials that comprise part of the deliberative process by  
10 which the board of regents formulates its decisions and  
11 policies, including but not limited to, decisions relating to  
12 the budget of the University of Hawaii system, any of its  
13 campuses, or any of its divisions. No chance meeting, permitted  
14 interaction, or electronic communication shall be used to  
15 circumvent the spirit or requirements of this part to make a  
16 decision or to deliberate toward a decision upon a matter over  
17 which the board has supervision, control, jurisdiction, or  
18 advisory power."



1 SECTION 2. Section 304A-1001, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[~~§~~§304A-1001~~§~~] **Exempt personnel.** Personnel of the  
4 university not subject to chapter 76 shall be under the  
5 direction of the president of the University of Hawaii. The  
6 board of regents shall appoint deans, directors, members of the  
7 faculty, and other employees as may be required to carry out the  
8 purposes of the institution, prescribe their salaries and terms  
9 of service when the salaries and terms of service are not  
10 specifically fixed by legislative enactment, and make and  
11 enforce rules governing sabbatical and professional improvement  
12 leaves with or without pay, consistent with the practice of  
13 similar institutions in the United States and notwithstanding  
14 the laws of the State relating to leaves of absence of the  
15 officers and employees of the State. Notwithstanding any other  
16 law to the contrary, the board of regents shall publicly  
17 disclose, no later than six business days before any related  
18 open meeting convened for purposes of public comment, the range  
19 of proposed compensation offered to persons under consideration  
20 for executive positions and head athletic coaching positions in  
21 the University of Hawaii system."





**Report Title:**

Government Operations

**Description:**

Denies the University of Hawaii the use of the deliberative process privilege in closing an agency meeting to the public. Specifies that the deliberative process privilege does not cover meetings related to the budget of the University of Hawaii. Requires the University of Hawaii to disclose beforehand the range of proposed compensation to executives, including head athletic coaches. Extends annual salary reporting requirement to include salaries of head athletic coaches.

