
A BILL FOR AN ACT

RELATING TO GOVERNMENT OPERATIONS.

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

1 SECTION 1. The purpose of this Act is to foster meaningful
2 discourse regarding compensation of top-level managerial and
3 administrative positions at the University of Hawaii, a matter
4 of intense public interest and statewide concern.

5 SECTION 2. Section 89C-4, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§89C-4 Adjustments for excluded employees exempt from**
8 **civil service.** Each appropriate authority shall determine the
9 adjustments that are relevant for their respective excluded
10 employees who are exempt from civil service in consideration of
11 the compensation and benefit packages provided for other
12 employees in comparable agencies. For administrative positions
13 in the University of Hawaii system filled by excluded employees,
14 proposed compensation or change in compensation shall be
15 disclosed in open meeting for purposes of public comment."

16 SECTION 3. Section 92-5, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:



1 " (a) A board may hold a meeting closed to the public
2 pursuant to section 92-4 for one or more of the following
3 purposes:

4 (1) To consider and evaluate personal information relating
5 to individuals applying for professional or vocational
6 licenses cited in section 26-9 or both;

7 (2) To consider the hire, evaluation, dismissal, or
8 discipline of an officer or employee or of charges
9 brought against the officer or employee, where
10 consideration of matters affecting privacy will be
11 involved; provided that proposed compensation or
12 change in compensation for administrative positions in
13 the University of Hawaii system filled by excluded
14 employees under chapter 89C shall be disclosed in open
15 meeting for purposes of public comment; provided that
16 if the individual concerned requests an open meeting,
17 an open meeting shall be held;

18 (3) To deliberate concerning the authority of persons
19 designated by the board to conduct labor negotiations
20 or to negotiate the acquisition of public property, or
21 during the conduct of such negotiations;



- 1 (4) To consult with the board's attorney on questions and
- 2 issues pertaining to the board's powers, duties,
- 3 privileges, immunities, and liabilities;
- 4 (5) To investigate proceedings regarding criminal
- 5 misconduct;
- 6 (6) To consider sensitive matters related to public safety
- 7 or security;
- 8 (7) To consider matters relating to the solicitation and
- 9 acceptance of private donations; and
- 10 (8) To deliberate or make a decision upon a matter that
- 11 requires the consideration of information that must be
- 12 kept confidential pursuant to a state or federal law,
- 13 or a court order."

14 SECTION 4. Section 304A-1001, Hawaii Revised Statutes, is
15 amended to read as follows:

16 " ~~[§304A-1001]~~ **Exempt personnel.** Personnel of the
17 university not subject to chapter 76 shall be under the
18 direction of the president of the University of Hawaii. The
19 board of regents shall appoint deans, directors, members of the
20 faculty, and other employees as may be required to carry out the
21 purposes of the institution, prescribe their salaries and terms
22 of service when the salaries and terms of service are not



1 specifically fixed by legislative enactment, and make and
2 enforce rules governing sabbatical and professional improvement
3 leaves with or without pay, consistent with the practice of
4 similar institutions in the United States and notwithstanding
5 the laws of the State relating to leaves of absence of the
6 officers and employees of the State. Notwithstanding any other
7 law to the contrary, the board of regents, for administrative
8 positions in the University of Hawaii system filled by excluded
9 employees, shall publicly disclose, no later than six business
10 days, before any related open meeting convened for purposes of
11 public comment, compensation offered to newly hired employees
12 and changes in compensation offered to existing employees under
13 chapter 89C."

14 SECTION 5. Section 304A-1004, Hawaii Revised Statutes, is
15 amended to read as follows:

16 " [+] §304A-1004 [+] **Annual report; executive, managerial,**
17 **and faculty salaries[-]; proposed compensation.** (a) The board
18 of regents shall submit an annual report to the legislature
19 containing the salaries paid to all executive, managerial, and
20 faculty members of the university, including that paid to the
21 president of the university, not fewer than twenty days prior to
22 the convening of each regular session.



1 (b) The board of regents shall disclose in open meeting,
2 for purposes of public comment, proposed compensation or change
3 in compensation for administrative positions in the University
4 of Hawaii system filled by excluded employees under chapter
5 89C."

6 SECTION 6. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect upon its approval.



S.B. NO. 46
S.D. 1
H.D. 1
C.D. 1

Report Title:

Government Operations

Description:

Requires the University of Hawaii Board of Regents to publicly disclose, no later than 6 business days before any related open meeting convened for purposes of public comment, compensation offered to newly hired employees and changes in compensation offered to existing employees for administrative positions in the UH system filled by excluded employees. (CD1)

