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

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

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



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

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

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

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

20 (3) To deliberate concerning the authority of persons  
21 designated by the board to conduct labor negotiations

1 or to negotiate the acquisition of public property, or  
2 during the conduct of such negotiations;

3 (4) To consult with the board's attorney on questions and  
4 issues pertaining to the board's powers, duties,  
5 privileges, immunities, and liabilities;

6 (5) To investigate proceedings regarding criminal  
7 misconduct;

8 (6) To consider sensitive matters related to public safety  
9 or security;

10 (7) To consider matters relating to the solicitation and  
11 acceptance of private donations; and

12 (8) To deliberate or make a decision upon a matter that  
13 requires the consideration of information that must be  
14 kept confidential pursuant to a state or federal law,  
15 or a court order."

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

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



1 purposes of the institution, prescribe their salaries and terms  
2 of service when the salaries and terms of service are not  
3 specifically fixed by legislative enactment, and make and  
4 enforce rules governing sabbatical and professional improvement  
5 leaves with or without pay, consistent with the practice of  
6 similar institutions in the United States and notwithstanding  
7 the laws of the State relating to leaves of absence of the  
8 officers and employees of the State. The board of regents shall  
9 disclose, for purposes of public comment, proposed compensation  
10 or change in compensation for administrative positions in the  
11 University of Hawaii system filled by excluded employees under  
12 chapter 89C."

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

15 " **[\$304A-1004] Annual report; executive, managerial, and**  
16 **faculty salaries[-]; proposed compensation.** (a) The board of  
17 regents shall submit an annual report to the legislature  
18 containing the salaries paid to all executive, managerial, and  
19 faculty members of the university, including that paid to the  
20 president of the university, not fewer than twenty days prior to  
21 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.



**Report Title:**

Government Operations

**Description:**

Requires disclosure of proposed compensation or change in compensation for certain University of Hawaii employees exempt from civil service for purposes of public for purposes of public comment. (SD1)

