

Honolulu, Hawaii

APR 23 2021

RE: S.B. No. 589  
S.D. 2  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 589, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Establish the University of Hawaii Cancer Center in statute as the Cancer Research Center of Hawaii;
- (2) Require the Director of the Cancer Research Center of Hawaii to be appointed by the Board of Regents of the University of Hawaii upon recommendation from the Provost of the University of Hawaii at Manoa and with the concurrence of the President of the University of Hawaii;



- (3) Require the Director of the Cancer Research Center of Hawaii and Dean of the University of Hawaii John A. Burns School of Medicine to report to the Provost of the University of Hawaii at Manoa and coordinate with the President of the University of Hawaii;
- (4) Require funds expended or originating from the University of Hawaii Tuition and Fees Special Fund for the University of Hawaii John A. Burns School of Medicine or the Cancer Research Center of Hawaii to be used for educational purposes only;
- (5) Require funds expended or originating from the Research and Training Revolving Fund for the University of Hawaii John A. Burns School of Medicine or the Cancer Research Center of Hawaii to be used for research and research-related purposes only;
- (6) Allow the University of Hawaii to continue its contribution to research commercialization and economic development by repealing the sunset provision in Act 38, Session Laws of Hawaii 2017 (Act 38);
- (7) Make the University of Hawaii's Innovation and Commercialization Initiative Program permanent by repealing the sunset provision in Act 39, Session Laws of Hawaii 2017 (Act 39);
- (8) Make permanent the authority of the President of the University of Hawaii to act as its chief procurement officer for all procurement contracts under chapter 103D, Hawaii Revised Statutes, by repealing the sunset provision in Act 42, Session Laws of Hawaii 2018 (Act 42); and
- (9) Further efforts to ensure the efficient and effective management of public resources provided to the University of Hawaii John A. Burns School of Medicine and the Cancer Research Center of Hawaii to optimize public benefits.

Your Committee on Conference notes that the University of Hawaii had been proposing the consolidation of the University of Hawaii Cancer Center and University of Hawaii John A. Burns School of Medicine through various business plans, reports, and consultant recommendations since 2014, in order to eliminate operational redundancies and enhance the efficiency and effectiveness of both units. Your Committee on Conference also notes that the University



of Hawaii frequently groups different organized research units within a larger administrative structure. For example, the School of Ocean and Earth Science and Technology encompasses several outstanding research units, including the Center for Microbial Oceanography: Research and Education. Furthermore, several other universities with outstanding medical schools have their cancer research programs integrated closely therewith. For example, the Siteman Cancer Center, a comprehensive cancer center that holds an "exceptional" rating from the National Cancer Institute, is a part of the Washington University School of Medicine in St. Louis. The MD Anderson Cancer Center is also a comprehensive cancer center that operates in close affiliation with the McGovern Medical School at the University of Texas Health Science Center. As such, to ensure the efficient and effective management of public resources provided to the Cancer Research Center of Hawaii and University of Hawaii John A. Burns School of Medicine, your Committee on Conference finds it necessary to administratively affiliate the two entities and have their administrative services and infrastructure teams be merged.

Your Committee on Conference further finds it important for the State to continue its support of the University of Hawaii's technology transfer activities pursuant to Act 38 and activities under its Innovation and Commercialization Initiative Program pursuant to Act 39. Your Committee on Conference also finds that these activities must be transparent, and the University of Hawaii must be held accountable therefor. Your Committee on Conference also finds it prudent for the Legislature to continue monitoring the University of Hawaii's activities pursuant to Act 38, Act 39, and Act 42.

Accordingly, your Committee on Conference has amended this measure by:

- (1) Inserting language requiring the Cancer Research Center of Hawaii and the University of Hawaii John A. Burns School of Medicine to be administratively affiliated;
- (2) Inserting language to promote the accountability and transparency of the University of Hawaii's technology transfer activities pursuant to Act 38 and activities under its Innovation and Commercialization Initiative Program pursuant to Act 39;
- (3) Extending the repeal date of Act 38 for two years until June 30, 2024;



- (4) Extending the repeal date of Act 39 for three years until June 30, 2024;
- (5) Extending the repeal date of Act 42 for three years until June 30, 2024;
- (6) Making it effective upon its approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 589, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 589, S.D. 2, H.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

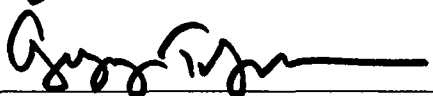
ON THE PART OF THE SENATE



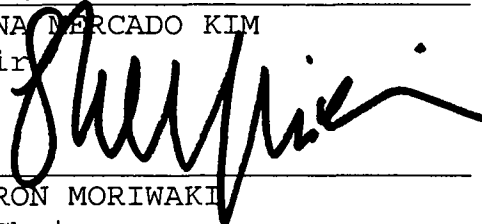
RYAN I. YAMANE  
Co-Chair



DONNA MERCADO KIM  
Chair



GREGG TAKAYAMA  
Co-Chair



SHARON MORIWAKI  
Co-Chair



ADRIAN K. TAN  
Co-Chair



Hawai'i State Legislature

CR 87

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 589, SD 2, HD 2</b>	Date/Time: 4/21/21 1:39 pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KIM, Donna Mercado, Chr.	/				YAMANE, Ryan I., Co-Chr.	/			
MORIWAKI, Sharon Y., Co-Chr.	/				TAKAYAMA, Gregg, Co-Chr.	/			
FEVELLA, Kurt	/				TAM, Adrian K., Co-Chr.	/			
					DECOITE, Lynn	/			
					OKIMOTO, Val	/			
<b>TOTAL</b>	<b>3</b>				<b>TOTAL</b>	<b>5</b>			

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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