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# A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

PART I

1  
2 SECTION 1. The legislature finds that the University of  
3 Hawaii cancer center reduces the burden of cancer through  
4 research, education, patient care, and community outreach. The  
5 University of Hawaii cancer center is the only National Cancer  
6 Institute-designated cancer center in Hawaii and the Pacific  
7 region. The University of Hawaii cancer center is a member of  
8 the Hawaii Cancer Consortium, which includes five hospital  
9 groups and the University of Hawaii John A. Burns school of  
10 medicine.

11 The University of Hawaii John A. Burns school of medicine  
12 educates and trains health care professionals, including  
13 physicians, biomedical scientists, and allied health workers.  
14 The University of Hawaii John A. Burns school of medicine also  
15 conducts fundamental medical research and translates discoveries  
16 into delivery practices. Because the University of Hawaii John  
17 A. Burns school of medicine is a community-based medical school



1 without its own university hospital, it partners with private  
2 hospitals in the community to achieve its educational mission.

3       The legislature further finds that public funds and other  
4 resources the State has made available to the University of  
5 Hawaii John A. Burns school of medicine and University of Hawaii  
6 cancer center have been substantial. The magnitude of state  
7 funds and other resources provided to the University of Hawaii,  
8 the distinction of the University being the sole public  
9 institution of higher education in the State, and the University  
10 of Hawaii cancer center being the only National Cancer  
11 Institute-designated cancer center in Hawaii underscore the  
12 importance of establishing complementary strategic priorities  
13 and coordinating the management and deployment of state  
14 resources appropriated to the University of Hawaii John A. Burns  
15 school of medicine and University of Hawaii cancer center.

16       It is in the public's interest that State resources be  
17 efficiently and effectively managed to optimize the public  
18 benefits. Just as co-locating the physical facilities for the  
19 University of Hawaii John A. Burns school of medicine and  
20 University of Hawaii cancer center on adjoining sites in Kakaako  
21 promotes synergistic efforts, the legislature determines that it



1 is a statewide concern to ensure that the management of public  
2 resources provided to the University of Hawaii John A. Burns  
3 school of medicine and University of Hawaii cancer center be  
4 integrated, coordinated, and focused on common priorities to  
5 avoid unnecessary duplication of administrative expenses or  
6 conflicting priorities. Maximized efficiencies will benefit the  
7 University of Hawaii cancer center, University of Hawaii John A.  
8 Burns school of medicine, University of Hawaii at Manoa, and the  
9 State by reducing or eliminating unnecessary expenditures and  
10 optimizing operations.

11 Accordingly, the purpose of this part is to:

- 12 (1) Establish the University of Hawaii cancer center in  
13 statute as the cancer research center of Hawaii; and  
14 (2) Require the cancer research center of Hawaii to be  
15 administratively affiliated with the University of  
16 Hawaii John A. Burns school of medicine and possibly  
17 merge the administrative services and infrastructure  
18 teams of both entities to offer greater efficiency.

19 SECTION 2. Chapter 304A, part IV, Hawaii Revised Statutes,  
20 is amended by adding a new subpart to be appropriately  
21 designated and to read as follows:



1 " . **Cancer Research Center of Hawaii**

2 **§304A- Cancer research center of Hawaii.** (a) There is  
3 established an organized research unit, hereinafter known as the  
4 cancer research center of Hawaii, to conduct cancer research.  
5 The cancer research center of Hawaii shall be administered by a  
6 director to be appointed in accordance with board of regents  
7 policy.

8 (b) The cancer research center of Hawaii shall be  
9 administratively affiliated with the University of Hawaii John  
10 A. Burns school of medicine. The administrative services and  
11 infrastructure teams of the cancer research center of Hawaii and  
12 the University of Hawaii John A. Burns school of medicine may be  
13 merged to achieve greater efficiency.

14 (c) The provost of the University of Hawaii at Manoa shall  
15 have authority to direct and achieve efficiencies at the  
16 University of Hawaii John A. Burns school of medicine and cancer  
17 research center of Hawaii.

18 (d) The programs of the University of Hawaii John A. Burns  
19 school of medicine and cancer research center of Hawaii, and the  
20 University of Hawaii at Manoa shall identify opportunities to:

21 (1) Capitalize on collaboration between the programs; and



1 (2) Maximize operational efficiencies between the  
2 University of Hawaii John A. Burns school of medicine  
3 and cancer research center of Hawaii,  
4 including but not limited to shared services and personnel  
5 whenever feasible and utilization of centralized services  
6 available through the University of Hawaii at Manoa whenever  
7 appropriate.

8 (e) The cancer research center of Hawaii's research agenda  
9 shall focus on research, education, patient care, and community  
10 outreach and reflect an understanding of the ethnic, cultural,  
11 and environmental characteristics of the State and the Pacific  
12 region.

13 (f) The cancer research center of Hawaii may:  
14 (1) Engage in international research collaborations;  
15 (2) Undertake research studies and clinical trials; and  
16 (3) Participate in projects and programs of the National  
17 Cancer Institute."

18 PART II

19 SECTION 3. The purpose of this part is to further efforts  
20 to ensure the efficient and effective management of public  
21 resources provided to the University of Hawaii John A. Burns



1 school of medicine and cancer research center of Hawaii to  
2 optimize public benefits.

3 SECTION 4. (a) The University of Hawaii shall develop and  
4 implement a plan for the University of Hawaii John A. Burns  
5 school of medicine and cancer research center of Hawaii to  
6 achieve greater operational efficiencies, reduce duplication of  
7 services, and share administrative functions to the maximum  
8 extent practicable.

9 (b) The president of the University of Hawaii shall submit  
10 a report on the progress of the development and implementation  
11 of the plan as provided under this part to the legislature no  
12 later than twenty days prior to the convening of the regular  
13 session of 2023.

14 PART III

15 SECTION 5. The purpose of this part is to allow the  
16 University of Hawaii to continue its contribution to research  
17 commercialization and economic development by extending the  
18 sunset date of Act 38, Session Laws of Hawaii 2017, for two  
19 years, until June 30, 2024, while promoting accountability and  
20 transparency.



1 SECTION 6. Section 84-10, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§84-10[+] **University of Hawaii; technology transfer**  
4 **activities; exemption.** (a) Sections 84-12, 84-13, 84-14 to  
5 84-16, and 84-18 shall not apply to technology transfer  
6 activities sponsored by the University of Hawaii; provided that  
7 the technology transfer activities comply with the regulatory  
8 framework and research compliance program and policies approved  
9 by the board of regents of the University of Hawaii [~~board of~~  
10 ~~regents~~].

11 (b) Notwithstanding subsection (a), the University of  
12 Hawaii shall not sponsor, enter into, or continue to engage in  
13 technology transfer activities with a private person in which an  
14 employee of the University of Hawaii has a conflict of interest  
15 as provided in section 84-14, including a financial interest,  
16 irrespective of whether the State benefits from the technology  
17 transfer activities; provided that the prohibition under this  
18 subsection shall not apply if:

19 (1) The technology transfer activities with the private  
20 person promote the timely and efficient  
21 commercialization of intellectual property created by

1           basic and applied research at the University of  
2           Hawaii;

3           (2) The State stands to benefit from the technology  
4           transfer activities with the private person;

5           (3) The technology transfer activities with the private  
6           person comply with the regulatory framework and  
7           research compliance program and policies approved by  
8           the board of regents of the University of Hawaii;

9           (4) The employee's conflict of interest is disclosed at  
10          the time of the proposal, and the proposals and  
11          binding agreements for each of the technology transfer  
12          activities with the private person are reviewed by the  
13          state ethics commission to assure compliance with  
14          ethics laws;

15          (5) Any changes to the terms and conditions of the  
16          technology transfer activities are reported to the  
17          state ethics commission;

18          (6) The employee with the conflict of interest does not:  
19          (A) Take official action affecting the technology  
20          transfer activities with the private person; or





1           (B) Directly or indirectly supervise an employee when  
2           that employee takes official action affecting the  
3           technology transfer activities with the private  
4           person; and

5           (7) During the term of the technology transfer activities  
6           with the private person, the following employees file  
7           annually with the state ethics commission a disclosure  
8           of financial interests pursuant to section 84-17:

9           (A) Employees who have a conflict of interest as  
10           provided in section 84-14, including a financial  
11           interest, in the private person;

12           (B) Employees who take official action affecting the  
13           technology transfer activities with the private  
14           person; and

15           (C) Employees who directly or indirectly supervise an  
16           employee who takes official action affecting the  
17           technology transfer activities with the private  
18           person.

19           (c) Notwithstanding subsection (a), any technology  
20           transfer activities sponsored by, entered into, or engaged in by  
21           the University of Hawaii in violation of subsection (b) is



1 voidable under section 84-16; provided that this subsection  
2 shall not apply to contracts for technology transfer activities  
3 entered into or extended by the University of Hawaii prior to  
4 January 1, 2022.

5 (d) The University of Hawaii shall file annually with the  
6 state ethics commission a disclosure, including its conflict of  
7 interest management plan, of any conflict of interest of any  
8 employee relating to its technology transfer activities.

9 ~~[(b)]~~ (e) As used in this section~~["technology"]~~:

10 "Person" means any individual, firm, association,  
11 organization, sole proprietorship, partnership, company,  
12 corporation, joint venture, trust, or any other form of business  
13 or legal entity or group of individuals.

14 "Technology transfer activities" means the process of  
15 transferring scientific findings from the public sector to the  
16 private sector for the purpose of commercial development and  
17 application for personal or financial gain. "Technology  
18 transfer activities" may include creating joint ventures,  
19 limited partnerships, or other corporate forms; allocating  
20 equity shares, partnership interests, or other forms of  
21 participation; identifying new technologies; protecting



1 technologies through patents and copyrights; forming development  
2 and commercialization strategies, arrangements, or projects; and  
3 other related activities."

4 SECTION 7. Section 304A-121, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "[+]§304A-121[+] **Technology transfer; reporting.** The  
7 board of regents of the University of Hawaii shall submit a  
8 written report to the legislature no later than twenty days  
9 prior to the convening of each regular session regarding:

- 10 (1) The development [~~and~~], implementation, and enforcement  
11 of its regulatory framework and research compliance  
12 program to reflect ethical research principles and  
13 technology transfer regulations used by the federal  
14 government; [~~and~~]
- 15 (2) The technology transfer activities of the University  
16 of Hawaii, as defined in section 84-10, and the status  
17 of such activities[~~-~~]; and
- 18 (3) A disclosure, including the University of Hawaii's  
19 conflict of interest management plan, of any conflict  
20 of interest of any employee of the University of





1 " . **Innovation and Commercialization Initiative Program**

2 **§304A- Innovation and commercialization initiative**

3 **program; establishment.** There is established within the

4 University of Hawaii an innovation and commercialization

5 initiative program under the direction of the vice president for

6 research and innovation.

7 **§304A- Innovation and commercialization initiative**

8 **program; implementation.** In implementing the innovation and

9 commercialization initiative program, the University of Hawaii

10 may promote, sponsor, and participate in the transformation of

11 the products of its research and instructional activities into

12 viable economic enterprises and may create, finance, and

13 participate in organizations that contribute to the economic

14 development and workforce diversification of the State using

15 university research and personnel. The university, without

16 limitation, may:

17 (1) Adopt policies and management procedures to carry out

18 the purposes of the program;

19 (2) Contribute equity, loan funds, or participate directly

20 or indirectly to finance concepts or proposals that

21 are likely to lead to viable businesses, economic



- 1 development, or workforce opportunities based on  
2 university research;
- 3 (3) Enter into contracts and other appropriate  
4 arrangements with start-up ventures to provide loans,  
5 initial and expansion capital, and other forms of  
6 financial assistance;
- 7 (4) Solicit, evaluate, and assist in the preparation,  
8 drafting, and refinement of business plans and  
9 proposals;
- 10 (5) Provide advice, instruction, training, and technical  
11 and marketing assistance to support and promote the  
12 enterprises in which the university invests;
- 13 (6) Develop, coordinate, and deliver instruction,  
14 training, and outreach programs to build and maintain  
15 the capacity to sustain these economic enterprises;
- 16 (7) Implement specialized programs designed to encourage  
17 the development of new products, businesses, and  
18 markets;
- 19 (8) Prepare, publish, and distribute technical studies,  
20 reports, bulletins, and other materials consistent  
21 with customary standards of university publication,



1 subject to the maintenance and respect for  
2 confidentiality of client proprietary information;  
3 (9) Organize, sponsor, and participate in conferences,  
4 workshops, seminars, and other educational activities  
5 relating to the formation and financial viability of  
6 businesses that use university research products or  
7 university personnel;  
8 (10) Provide and pay for advisory or consulting services  
9 and technical, managerial, and marketing assistance,  
10 support, and promotion to carry out the purposes of  
11 this subpart;  
12 (11) Acquire, hold, and sell qualified securities;  
13 (12) Consent, subject to the provisions of any contract  
14 with noteholders or bondholders, whenever the  
15 university deems it necessary or desirable in the  
16 fulfillment of the purposes of this subpart, to the  
17 modification, with respect to rate of interest, time  
18 of payment of any installment of principal or  
19 interest, or any other terms, of any contract or  
20 agreement of any kind to which the university is a  
21 party;



- 1           (13) With the assistance of an appropriate foundation or  
2           development entity, accept donations, grants,  
3           bequests, and devises of money, property, service, or  
4           other things of value that may be received from the  
5           United States or any agency thereof, any governmental  
6           agency, or any public or private institution, person,  
7           firm, or corporation, to be held, used, or applied for  
8           any or all of the purposes in support of this program;
- 9           (14) Invest any funds held in reserves or sinking funds, or  
10          any funds not required for immediate disbursement, in  
11          such investments as may be lawful for fiduciaries in  
12          the State;
- 13          (15) Acquire real property, or an interest therein, by  
14          purchase or foreclosure, where that acquisition is  
15          necessary or appropriate to protect or secure any  
16          investment or loan in which the university has an  
17          interest; sell, transfer, and convey the property to a  
18          buyer and, if the sale, transfer, or conveyance cannot  
19          be effected with reasonable promptness or at a  
20          reasonable price, to lease the property;





- 1       (16) Consistent with the purposes of the program, acquire,  
2               own, hold, dispose of, and encumber personal property  
3               of any nature, or any interest therein, either  
4               directly or through intermediate entities formed or  
5               established specifically for the program's purposes;
- 6       (17) Enter into agreements or other transactions with any  
7               federal, state, or county agency to implement the  
8               purposes of this subpart;
- 9       (18) Contract with other entities, public or private, for  
10              the provision of all or a portion of the services  
11              necessary for the management and operation of the  
12              program. The university may use all appropriations,  
13              grants, contractual reimbursements, and all other  
14              funds made available for the purposes of the program  
15              to pay for the proper general expenses of the program;
- 16       (19) Appear on its own behalf before state, county, or  
17              federal agencies on matters relating to the program;
- 18       (20) Establish a risk management program appropriate to the  
19              activities of the program, which may include, among  
20              other components, the purchase of insurance,

1 participation in the State's risk management program,  
2 or retention and management of risks;

3 (21) Appoint advisory committees as deemed necessary; and

4 (22) Exercise any other powers of a corporation organized  
5 under the laws of the State not inconsistent with the  
6 purpose and intent of the program.

7 **§304A- University innovation and commercialization**

8 **initiative special fund.** (a) There is established the  
9 university innovation and commercialization initiative special  
10 fund into which shall be deposited, and shall not be considered  
11 part of the general fund, all funds consistent with the purposes  
12 of this subpart that are:

13 (1) Appropriated by the legislature;

14 (2) Received as repayments of loans;

15 (3) Earned on investments;

16 (4) Received pursuant to a venture agreement;

17 (5) Received as royalties;

18 (6) Received as premiums or fees charged by the  
19 university; or

20 (7) Otherwise received by the program.



1 (b) Revenues deposited into the special fund may be  
2 expended by the University of Hawaii for all costs and expenses  
3 associated with the operation of the innovation and  
4 commercialization initiative program without regard to chapters  
5 76, 78, 89, 102, 103, and 103D. Revenues not expended as  
6 provided in this section may be transferred to other university  
7 funds to be expended for the general benefit of the university.

8 **§304A- Confidentiality of trade secrets; disclosure of**  
9 **financial information.** Any documents or data made or received  
10 by the University of Hawaii under this subpart, to the extent  
11 that the material or data consist of trade secrets or  
12 confidential commercial or financial information that may be  
13 withheld from public disclosure under chapter 92F, shall not be  
14 publicly disclosed; provided that if the university purchases a  
15 qualified security, the nonconfidential commercial and financial  
16 information regarding that security shall be a public record of  
17 the university. The board of regents, or any subcommittee of  
18 the board, may hold an executive session as provided in section  
19 92-4 to discuss trade secrets or confidential commercial or  
20 financial information that may be withheld under chapter 92F.



1           **§304A-           Limitation on liability.** (a) The University  
2 of Hawaii shall not assume or otherwise promise to answer for  
3 the debt, contract, or liability of any other person or private  
4 entity involved with the innovation and commercialization  
5 initiative program.

6           (b) Notwithstanding chapters 661 and 662, or any other law  
7 to the contrary, nothing in this subpart shall create an  
8 obligation, debt, claim, cause of action, claim for relief,  
9 charge, or any other liability of any kind whatsoever in favor  
10 of any person or entity, without regard to whether that person  
11 or entity receives any benefits under this subpart, against the  
12 State or its officers and employees. The State and its officers  
13 and employees shall not be liable for the results of any  
14 investment, purchase of securities, loan, or other assistance  
15 provided pursuant to this subpart. Nothing in this subpart  
16 shall be construed as authorizing any claim against the  
17 University of Hawaii in excess of any note, loan, or other  
18 specific indebtedness incurred by the university or in excess of  
19 any insurance policy acquired for the university or its  
20 employees.



1           **§304A-            Preservation of governmental immunity; full**  
2 **faith and credit.** No contract, agreement, or statement made by  
3 the University of Hawaii pursuant to this subpart shall  
4 constitute an express or implied waiver by the university of its  
5 governmental or sovereign immunity as a public agency of the  
6 State, nor shall the contracts, agreements, or statements  
7 constitute an express or implied acceptance of liabilities in  
8 excess of liabilities allowable under applicable governmental  
9 immunity laws. No activity conducted by the university or  
10 agreement entered into pursuant to this subpart shall be deemed  
11 a pledge of the full faith and credit of the State.

12           **§304A-            Cooperation with the University of Hawaii by**  
13 **state agencies.** Every state agency may render services to the  
14 University of Hawaii upon the university's request for any  
15 purpose related to this subpart.

16           **§304A-            Construction of subpart.** (a) Other state  
17 laws, including without limitation the state code of ethics,  
18 shall be applied and construed on balance in recognition of the  
19 public benefits created and state interests advanced by the  
20 activities conducted by the University of Hawaii pursuant to  
21 this subpart.



1 (b) Notwithstanding subsection (a), the University of  
2 Hawaii shall not sponsor, enter into, or continue to engage in  
3 activities conducted pursuant to this subpart with a private  
4 person in which an employee of the University of Hawaii has a  
5 conflict of interest as provided in section 84-14, including a  
6 financial interest, irrespective of whether the State benefits  
7 from the activities; provided that the prohibition under this  
8 subsection shall not apply if:

9 (1) The activities with the private person transform the  
10 products of the University of Hawaii's research and  
11 instructional activities into viable economic  
12 enterprises;

13 (2) The State stands to benefit from the activities with  
14 the private person;

15 (3) The activities with the private person comply with the  
16 regulatory framework and research compliance program  
17 and policies approved by the board of regents of the  
18 University of Hawaii;

19 (4) The employee's conflict of interest is disclosed at  
20 the time of the proposal, and the proposals and  
21 binding agreements for each of the activities with the



1 private person are reviewed by the state ethics  
2 commission to assure compliance with ethics laws;

3 (5) Any changes to the terms and conditions of the  
4 activities are reported to the state ethics  
5 commission;

6 (6) The employee with the conflict of interest does not:  
7 (A) Take official action affecting the activities  
8 with the private person; or  
9 (B) Directly or indirectly supervise an employee who  
10 takes official action affecting the activities  
11 with the private person; and

12 (7) During the term of the activities with the private  
13 person, the following employees file annually with the  
14 state ethics commission a disclosure of financial  
15 interests pursuant to section 84-17:

16 (A) Employees who have a conflict of interest as  
17 provided in section 84-14, including a financial  
18 interest, in the private person;

19 (B) Employees who takes official action affecting the  
20 activities with the private person; and



1 (C) Employees who directly or indirectly supervise an  
2 employee who takes official action affecting the  
3 activities with the private person.

4 (c) Notwithstanding subsection (a), any activities  
5 conducted by the University of Hawaii pursuant to this subpart  
6 in violation of subsection (b) is voidable under section 84-16;  
7 provided that this subsection and subsection (b) shall not apply  
8 to contracts entered into or extended by the University of  
9 Hawaii prior to January 1, 2022, for activities conducted by the  
10 University of Hawaii pursuant to this subpart.

11 (d) The University of Hawaii shall file annually with the  
12 state ethics commission a disclosure, including its conflict of  
13 interest management plan, of any conflict of interest of any  
14 employee relating to its activities conducted pursuant to this  
15 subpart.

16 (e) As used in this section, "person" means any  
17 individual, firm, association, organization, sole  
18 proprietorship, partnership, company, corporation, joint  
19 venture, trust, or any other form of business or legal entity or  
20 group of individuals.







1 SECTION 11. The legislature finds that on June 30, 2021,  
2 the provisions of Act 42, Session Laws of Hawaii 2018, were  
3 repealed. The purpose of this part is to temporarily reenact  
4 provisions amended by Act 42, Session Laws of Hawaii 2018, for  
5 the purpose of extending, for three years, the authority of the  
6 president of the University of Hawaii to act as the University  
7 of Hawaii's chief procurement officer for all procurement  
8 contracts under chapter 103D, Hawaii Revised Statutes.

9 SECTION 12. Section 103D-203, Hawaii Revised Statutes, is  
10 amended by amending subsection (a) to read as follows:

11 "(a) The chief procurement officer for each of the  
12 following state entities shall be:

- 13 (1) The judiciary--the administrative director of the  
14 courts;
- 15 (2) The senate--the president of the senate;
- 16 (3) The house of representatives--the speaker of the house  
17 of representatives;
- 18 (4) The office of Hawaiian affairs--the chairperson of the  
19 board;
- 20 (5) The University of Hawaii--the president of the  
21 University of Hawaii; [~~provided that, except as~~



1 ~~specified in section 304A-2672(2), for contracts for~~  
2 ~~construction and professional services furnished by~~  
3 ~~licensees under chapter 464, the administrator of the~~  
4 ~~state procurement office of the department of~~  
5 ~~accounting and general services shall serve as the~~  
6 ~~chief procurement officer;]~~

7 (6) The department of education, excluding the Hawaii  
8 public library system--the superintendent of  
9 education;

10 (7) The Hawaii health systems corporation--the chief  
11 executive officer of the Hawaii health systems  
12 corporation; and

13 (8) The remaining departments of the executive branch of  
14 the State and all governmental bodies administratively  
15 attached to them--the administrator of the state  
16 procurement office of the department of accounting and  
17 general services."

18 SECTION 13. Section 304A-2672, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 "§304A-2672 Powers of the board. Notwithstanding any law  
21 to the contrary, the board may:



- 1           (1) Designate as a university project, any undertaking,
- 2                   improvement, or facility on any one or more of the
- 3                   areas in one or more of the educational institutions
- 4                   under the jurisdiction of the board;
- 5           (2) Construct and maintain university projects, including
- 6                   a university project included or to be in a university
- 7                   system; [~~provided that all procurements for~~
- 8                   ~~professional services furnished by licensees under~~
- 9                   ~~chapter 464 for construction projects shall be~~
- 10                  ~~coordinated with the department of accounting and~~
- 11                  ~~general services on behalf of the board; provided~~
- 12                  ~~further that the department of accounting and general~~
- 13                  ~~services shall not be responsible for procurements~~
- 14                  ~~determined by both the University of Hawaii and the~~
- 15                  ~~department of accounting and general services to be~~
- 16                  ~~professional services furnished by licensees under~~
- 17                  ~~chapter 464 for repair and maintenance;]~~
- 18           (3) Combine two or more university projects into a
- 19                   university system on one or more of the areas on any
- 20                   one or more of the educational institutions under the
- 21                   jurisdiction of the board, and to maintain the system;

- 1           (4)   Combine two or more university projects, university  
2                    systems, or university projects and university systems  
3                    into a network, on any one or more of the areas on any  
4                    one or more of the educational institutions under the  
5                    jurisdiction of the board, and to maintain the  
6                    network;
  
- 7           (5)   Prescribe and collect rents, fees, and charges for the  
8                    use of or services furnished by any university project  
9                    and the facilities thereof, and pledge any  
10                    appropriation to any university project and the  
11                    facilities thereof that in aggregate, produces revenue  
12                    of the university at least sufficient to comply with  
13                    section 304A-2681;
  
- 14          (6)   With the approval of the governor, issue revenue bonds  
15                    under this subpart in such principal amount as may be  
16                    authorized by the legislature from time to time to  
17                    finance in whole or in part the cost of construction  
18                    or the cost of maintenance of any university project,  
19                    including funding reserves therefor;
  
- 20          (7)   Pledge to the punctual payment of revenue bonds and  
21                    interest thereon, all or any part of the revenue of



1 the university, including any appropriation, in an  
2 amount sufficient to pay the revenue bonds and  
3 interest as the same become due and to create and  
4 maintain reasonable reserves therefor;

5 (8) Establish a loan program or a commercial paper program  
6 upon terms and conditions that the board may  
7 determine; and

8 (9) Advance moneys of the university, not otherwise  
9 required, and do any and all other lawful acts as may  
10 be necessary, convenient, or desirable, for carrying  
11 into execution and administering this subpart."

12 SECTION 14. The University of Hawaii shall submit an  
13 annual report to the legislature detailing a list of all capital  
14 improvement projects approved by the board of regents,  
15 prioritized by each campus, no later than twenty days prior to  
16 the convening of each regular session.

17 PART VI

18 SECTION 15. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 16. This Act shall take effect upon its approval;  
21 provided that:



- 1           (1) Parts IV and V of this Act shall apply retroactively  
2           to any actions taken after June 30, 2021, by the  
3           University of Hawaii pursuant to the sections of law  
4           amended by those parts;
- 5           (2) Section 10 shall be repealed on June 30, 2024; and
- 6           (3) Sections 12, 13, and 14 shall be repealed on June 30,  
7           2024, and sections 103D-203(a) and 304A-2672, Hawaii  
8           Revised Statutes, shall be reenacted in the form in  
9           which they read on June 11, 2018.



**Report Title:**

University of Hawaii; Cancer Research Center of Hawaii; John A. Burns School of Medicine; Tuition and Fees Special Fund; Research and Training Revolving Fund; Technology Transfer; Innovation and Commercialization Initiative Program; Procurement

**Description:**

PART I - Establishes the University of Hawaii (UH) Cancer Research Center in statute as the Cancer Research Center of Hawaii. Requires the Director of the Cancer Research Center to be appointed in accordance with the Board of Regents policy. Requires the Cancer Research Center to be administratively affiliated with the John A. Burns School of Medicine to achieve greater efficiency. PART II - Requires UH to develop a plan for the School of Medicine and Cancer Research Center to achieve greater operational efficiencies. Requires the UH President to submit a progress report to the Legislature before the 2023 regular session. PART III - Extends the sunset of Act 38, SLH 2017, exempting UH's technology transfer activities from certain provisions of the state ethics code to 6/30/2024. Prohibits technology transfer activities in which UH employees have a conflict of interest. Requires Board of Regents to report employee conflicts to the Legislature. PART IV - Temporarily reenacts provisions of Act 39, SLH 2017, reestablishing UH's innovation and commercialization initiative program to 6/30/2024. Prohibits program activities in which UH employees have a conflict of interest. Requires UH to report employee conflicts to the Legislature. PART V - Temporarily repeals changes made by Act 42, SLH 2018, allowing the UH president to act as UH's Chief Procurement Officer for procurement contracts under chapter 103D, HRS, until 6/30/2024. (AD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

