

Honolulu, Hawaii

FEB 10 2023

RE: S.B. No. 631

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Higher Education, to which was referred S.B. No. 631 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII STATE CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Propose an amendment to the Hawaii State Constitution to modify the appointment process for the Board of Regents of the University of Hawaii; and
- (2) Repeal the requirement that the Governor shall only appoint from pools of candidates presented by the University of Hawaii Board of Regents Candidate Advisory Council.

Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Board of Regents of the University of Hawai'i System.

Your Committee finds that the Board of Regents of the University of Hawaii guides the policies and trajectory of the University of Hawaii. In 2006, the Board of Regents Candidate



Advisory Council was established to select regents through a process similar to the state Judiciary's process for selecting judges and justices. While the Council proved effective at its inception and during periods when a high number of individuals applied, it has proven less effective in recent years when insufficient numbers of applicants have forced the Council to extend application deadlines.

For each vacancy on the Board of Regents, the Candidate Advisory Council is required to submit the names of at least three candidates to the Governor. A lack of applicants may leave the Council no choice but to submit the names of less qualified or unqualified applicants to meet its mandate. To maintain the quality of regents, this measure proposes an amendment to the Hawaii State Constitution to repeal the Board of Regents Candidate Advisory Council, allowing the Governor to directly appoint regents with the advice and consent of the Senate.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 631 and recommends that it pass Second Reading and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Higher Education,



DONNA MERCADO KIM, Chair



The Senate  
Thirty-Second Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Higher Education**  
**HRE**

Bill / Resolution No.:* <i>SB 631</i>	Committee Referral: <i>HRE, JDC/NAM</i>	Date: <i>2/2/23</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	<i>X</i>			
KIDANI, Michelle N. (VC)	<del><i>X</i></del> <i>GPA</i>			<i>X</i>
FUKUNAGA, Carol	<i>X</i>			
KEITH-AGARAN, Gilbert S.C.	<i>X</i>			
FEVELLA, Kurt	<i>X</i>			
<b>TOTAL</b>	<i>4</i>			<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes