
A BILL FOR AN ACT

RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII.

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

SECTION 1. Chapter 304A, Hawaii Revised Statutes, is amended by adding two new sections to part I to be appropriately designated and to read as follows:

"§304A- Open meeting exemption; strategic planning retreats. (a) Notwithstanding any law to the contrary, any strategic planning retreat undertaken by the board of regents shall be exempt from part I of chapter 92; provided that:

(1) No deliberation or decision-making takes place;

(2) The retreat is not convened for the purpose of discussing specific board of regents business requiring action;

(3) Materials presented at the retreat are made publicly available; and

(4) Attendance and a brief description of purpose are publicly noticed.

§304A- Annual report. The board of regents, in collaboration with the candidate advisory council when



1 applicable, shall submit an annual report to the legislature no
2 later than twenty days prior to the convening of each regular
3 session, describing:

4 (1) Completion of training requirements pursuant to
5 section 304A-104(c);

6 (2) Compliance with membership qualifications pursuant to
7 section 304A-104.6(c);

8 (3) Any additional professional development undertaken by
9 any members of the board of regents; and

10 (4) Any recommendations for improving governance of the
11 board of regents."

12 SECTION 2. Section 304A-104, Hawaii Revised Statutes, is
13 amended to read as follows:

14 **"§304A-104 Regents; appointment; tenure; qualifications;**
15 **meetings.** (a) The affairs of the university shall be under the
16 general management and control of the board of regents. The
17 board shall consist of eleven members who shall be appointed by
18 the governor from lists of qualified candidates presented to the
19 governor by the candidate advisory council, pursuant to section
20 304A-104.6, and shall be confirmed by the senate; provided that
21 if the list of qualified candidates includes fewer than three



1 candidates at any time during the nomination and confirmation
2 process, the governor may request that the candidate advisory
3 council reopen recruitment for qualified candidates. Members
4 may be removed by the governor. Except as otherwise provided by
5 law, state officers shall be eligible for appointment and
6 membership.

7 The term of each member shall be five years, except as
8 provided for the initial appointment in section 26-11; provided
9 that the term of the student member shall be two years. Every
10 member may serve beyond the expiration date of the member's term
11 of appointment as a holdover member until the member's successor
12 has been appointed by the governor and confirmed by the senate
13 in accordance with article X, section 6 of the Hawaii State
14 Constitution; provided that, notwithstanding any law to the
15 contrary, a holdover member shall not serve as a member of the
16 board beyond the end of the first regular session of the
17 legislature following the expiration of the member's term.
18 Members shall serve no more than two consecutive five-year
19 terms; provided that the members who are initially appointed to
20 terms of two years or less pursuant to section 26-11(a) may be
21 reappointed to two ensuing five-year terms. If a member is to



1 be appointed to a second term of five years, the senate shall
2 consider the question of whether to reconfirm the member at
3 least one hundred twenty days prior to the conclusion of a
4 member's first five-year term; provided that if the senate is
5 not in session within one hundred twenty days prior to the
6 conclusion of the member's first five-year term, the member
7 shall continue to serve until the senate convenes for the next
8 regular session or the next special session for which the senate
9 is authorized to consider the question of reconfirmation.

10 (b) In determining whether to confirm the governor's
11 nominee to the board of regents, the senate shall consider the
12 combination of abilities, breadth of experiences, and
13 characteristics of the board of regents, as a whole, that will
14 best serve the diverse interests and needs of the students of
15 the university system and assist the university system in
16 achieving its strategic goals and performance indicators. The
17 senate shall consider whether the board reflects the diversity
18 of the student population, the various counties of the State,
19 and a broad representation of higher education-related
20 stakeholders.



1 (c) Within twelve months of confirmation to the board of
2 regents, and every two years thereafter, each member of the
3 board of regents shall attend a governance training. The
4 governance training shall, at a minimum, cover the following
5 subject matters:

6 (1) Fiduciary duties;

7 (2) Accreditation and academic quality;

8 (3) Budgeting and finance;

9 (4) Open meeting requirements, pursuant to chapter 92;

10 (5) Uniform information practices, pursuant to chapter
11 92F; and

12 (6) Systemwide planning and governance.

13 [~~e~~] (d) At its first meeting after June 30 of each year,
14 the board of regents shall elect a chairperson and one or more
15 vice-chairpersons who shall serve until the adjournment of the
16 first meeting of the board of regents after June 30 of the next
17 year, or thereafter until their successors are elected; provided
18 that the chairperson and vice chairpersons shall not be elected
19 prior to the taking of office of regents whose terms shall begin
20 on July 1 of that year. The board shall appoint a secretary,
21 who shall not be a member of the board. The president of the



1 university shall act as executive officer of the board. A
2 majority of the board of regents shall constitute a quorum to
3 conduct business, and the concurrence of a majority of all the
4 members to which the board of regents is entitled shall be
5 necessary to make any action of the board of regents valid. The
6 board shall meet at least ten times annually and, from time to
7 time, may meet in each of the counties of Hawaii, Maui, and
8 Kauai.

9 ~~[(d)]~~ (e) The governor shall notify the candidate advisory
10 council for the board of regents of the ~~[University]~~ university
11 of Hawaii in writing within ten days of receiving notification
12 that a member of the board of regents is resigning or has died,
13 or is being removed by the governor.

14 ~~[(e)]~~ (f) The members of the board of regents shall serve
15 without pay but shall be entitled to their travel expenses
16 within the State when attending meetings of the board or when
17 actually engaged in business relating to the work of the board."

18 SECTION 3. Section 304A-104.6, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "[~~{~~]**\$304A-104.6**[~~}~~] **Candidate advisory council for the**
21 **board of regents of the ~~[University]~~ university of Hawaii.** (a)



1 The candidate advisory council for the board of regents of the
2 [~~University~~] university of Hawaii shall recruit, evaluate, and
3 present to the governor qualified candidates for nomination to a
4 vacant seat on the board of regents. The candidate advisory
5 council shall be attached to the [~~University~~] university of
6 Hawaii for administrative purposes.

7 (b) The candidate advisory council shall:

8 (1) Develop and implement a fair and independent procedure
9 for evaluating candidates to serve on the board of
10 regents;

11 (2) Require candidates and members of their immediate
12 families to disclose any existing or anticipated
13 contracts or financial transactions with the
14 [~~University~~] university of Hawaii;

15 (3) Actively solicit and accept applications from
16 potential candidates;

17 (4) Evaluate candidates for the board of regents on their
18 background, experience, and potential for discharging
19 the responsibilities of a member of the board of
20 regents, based upon the qualifications imposed by the
21 Hawaii State Constitution; and



(5) Present a list of at least three candidates to the governor for nomination and appointment for each vacant seat on the board of regents of the ~~[University]~~ university of Hawaii.

(c) The candidate advisory council shall ensure that all candidates presented to the governor for nomination:

(1) Have experience in at least one of the following areas:

(A) Higher education administration, accreditation, or academic governance;

(B) Finance, auditing, budgeting, or public fiscal oversight;

(C) Large-scale organizational management or public sector governance;

(D) Native Hawaiian education, culture, or policy; or

(E) Statewide policy leadership, community leadership, or another field relevant to the university of Hawaii's mission; and

(2) Are not registered lobbyists at the time of nomination and have not lobbied on matters pertaining to the



1 university of Hawaii in the twelve months prior to the
2 nomination.

3 ~~[(e)]~~ (d) The candidate advisory council shall initiate
4 the recruitment and evaluation of candidates for each vacancy on
5 the board of regents within:

6 (1) Sixty days of a vacancy; or

7 (2) At least one hundred twenty days prior to the
8 expiration of a regent's term.

9 ~~[(d)]~~ (e) To provide continuity for the board of regents,
10 the governor may recommend to the candidate advisory council the
11 reappointment of a member of the board of regents, subject to
12 the advice and consent of the senate.

13 ~~[(e)]~~ (f) The candidate advisory council shall consist of
14 seven voting members to be appointed without regard to section
15 26-34 as follows:

16 (1) One member who shall be appointed by the president of
17 the senate;

18 (2) One member who shall be appointed by the speaker of
19 the house of representatives; and

20 (3) Five members who shall be appointed by the governor.



1 A member of the Association of Emeritus Regents of the
2 University of Hawaii, appointed by the chair of the Association
3 of Emeritus Regents of the University of Hawaii, shall serve as
4 an ex officio, nonvoting member of the candidate advisory
5 council, for a term not to exceed two years; provided that the
6 appointment shall run concurrently with the term of the
7 appointing chair.

8 The president of the senate, speaker of the house of
9 representatives, and governor are encouraged to appoint full-
10 time students of the university, university faculty, university
11 staff, or university alumni to the candidate advisory council;
12 provided that if a full-time student is appointed to the
13 candidate advisory council, the student shall have been enrolled
14 as a full-time student for at least three consecutive semesters
15 and shall serve for a term of two years.

16 ~~[(f)]~~ (g) Voting members of the candidate advisory council
17 shall serve for the following terms:

- 18 (1) Those appointed by the president of the senate and
19 speaker of the house of representatives shall serve
20 for a term of four years; and



1 (2) Those appointed by the governor shall serve for a term
2 of four years; provided that such appointments shall
3 run concurrently with the term of the appointing
4 governor.

5 ~~[-g-]~~ (h) Appointees to the candidate advisory council
6 shall have a general understanding of the purposes of higher
7 education, the mission and strategic goals of the ~~[University]~~
8 university of Hawaii system, and the role and responsibilities
9 of the board of regents. Appointees shall be individuals who
10 are widely viewed as having placed the broad public interest
11 ahead of special interests, are respected by the community, and
12 are highly qualified to recruit and evaluate candidates for the
13 governor's consideration.

14 ~~[-h-]~~ (i) Any member of the candidate advisory council
15 whose term has expired may continue in office as a holdover
16 member until a successor is appointed; provided that a holdover
17 member shall not hold office for more than six months following
18 the expiration of the member's term of office.

19 ~~[-i-]~~ (j) A vacancy occurring in the membership of the
20 candidate advisory council during a term shall be filled for the



1 remainder of the unexpired term thereof by the appointing
2 authority who appointed the member who creates the vacancy.

3 ~~[(j)]~~ (k) The candidate advisory council shall operate in
4 a wholly nonpartisan manner. No member of the candidate
5 advisory council shall run for or hold any elected office of the
6 State or any of its political subdivisions while serving on the
7 candidate advisory council. A member of the candidate advisory
8 council shall resign from the candidate advisory council prior
9 to filing nomination papers for an elected office of the State
10 or any of its political subdivisions.

11 ~~[(k)]~~ (l) The chairperson of the candidate advisory
12 council shall be elected by a majority of the voting members of
13 the candidate advisory council. A majority of the members to
14 which the candidate advisory council is entitled shall
15 constitute a quorum to conduct business. The concurrence of a
16 majority of the voting members of the candidate advisory council
17 shall be necessary to make any action of the candidate advisory
18 council valid. The candidate advisory council shall meet
19 annually and at other times as necessary. The candidate
20 advisory council shall be exempt from part I of chapter 92.



1 [~~(l)~~] (m) Members of the candidate advisory council shall
2 serve without compensation but shall be reimbursed for expenses,
3 including travel expenses, necessary for the performance of
4 their duties."

5 SECTION 4. Notwithstanding any law to the contrary, all
6 members of the university of Hawaii board of regents who are
7 members on the effective date of this Act shall successfully
8 complete the governance training required by section 2 of this
9 Act within six months following the effective date of this Act
10 and at least once every two years thereafter.

11 SECTION 5. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect upon its approval.
14

INTRODUCED BY: _____



JAN 23 2026



H.B. NO. 1873

Report Title:

Board of Regents of the University of Hawaii; Strategic Planning Retreats; Open Meetings; Exemption; Candidate Advisory Council; Nominations; Reporting

Description:

Requires members of the Board of Regents of the University of Hawaii to attend a governance training within twelve months of appointment and every two years thereafter. Exempts strategic planning retreats of the Board of Regents of the University of Hawaii from open meeting requirements if certain conditions are met. Requires the Candidate Advisory Council to ensure that all candidates presented to the Governor for nomination have certain subject matter experience and are not registered lobbyists who have lobbied on matters pertaining to the University of Hawaii. Requires the Board of Regents of the University of Hawaii, in collaboration with the Candidate Advisory Council, to submit annual reports to the Legislature.

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