

ACT 6

S.B. NO. 2263

A Bill for an Act Relating to the University of Hawaii.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the University of Hawaii system is the only public postsecondary educational institution in the state and, as such, maintains a tremendous responsibility in not only providing quality higher education to its students, but also in being held accountable to the public. The legislature further finds that, recently, much of the university's management and operations has been called into question, including its current practice of preventing public access to

information on the potential salaries of new faculty and executive/managerial positions and expenditures of the board of regents. Over the past few years, salaries of university faculty and administrators have dramatically increased. They have escalated to the point that approximately 473 faculty and executive/managerial positions are currently paid salaries that exceed the salary of the governor of Hawaii, which makes the matter one of statewide importance and concern.

The purpose of this Act is to require the disclosure of:

- (1) Information regarding compensation offered to newly hired employees;
- (2) Changes in compensation offered to existing employees for executive/managerial positions in the University of Hawaii system filled by excluded employees; and
- (3) All budgetary expenditures made by the board of regents.

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

“§89C-4 Adjustments for excluded employees exempt from civil service.

Each appropriate authority shall determine the adjustments that are relevant for their respective excluded employees who are exempt from civil service in consideration of the compensation and benefit packages provided for other employees in comparable agencies. For executive/managerial positions in the University of Hawaii system filled by excluded employees, proposed compensation or change in compensation shall be disclosed in open meeting for purposes of public comment.”

SECTION 3. Section 304A-105, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The board of regents shall have management and control of the general affairs, and exclusive jurisdiction over the internal structure, management, and operation of the university. The board may ~~appoint~~:

- (1) Appoint a treasurer and other officers as it deems necessary~~[-The board may authorize];~~
- (2) Authorize any officer, elected or appointed by it, to approve and sign on its behalf any voucher or other document that the board may approve and sign~~[-The board may delegate];~~
- (3) Delegate to the president or the president’s designee the authority to render the final decision in contested case proceedings subject to chapter 91, as it deems appropriate~~[-The board may purchase];~~
- (4) Purchase or otherwise acquire lands, buildings, appliances, and other property for the purposes of the university ~~[and expend such];~~ and
- (5) Expend any sums of money as, from time to time, may be placed at the disposal of the university from whatever source~~[-];~~ provided that notwithstanding any other law to the contrary, all documents regarding expenditures and changes thereto, made by the board shall be disclosed in open meetings for the purpose of public comment; provided further that all expenditure requests, proposals, and any other budgetary documents used by the board at an open meeting shall be made available to the public at least six calendar days before the meeting.

All lands, buildings, appliances, and other property so purchased or acquired shall be and remain the property of the university to be used in perpetuity for the benefit of the university. The board, in accordance with this section and other law, shall manage the inventory, equipment, surplus property, and expenditures of the university and, subject to chapter 91, may adopt rules, further controlling and regulating the same.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.
(Vetoed by Governor and veto overridden by Legislature on July 8, 2008.)