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Notice of Special Meeting
UNIVERSITY OF HAWAI'I
BOARD OF REGENTS

Board business not completed on this day will be taken up on another day and time announced at the conclusion of the meeting.

Date: Thursday, February 6, 2025
Time: 10:30 a.m.
Place: University of Hawai'i at Mānoa
Bachman Hall
1st Floor Conference Room 106 A/B
2444 Dole Street
Honolulu, Hawai'i 96822

See the Board of Regents website to access the live broadcast of the meeting and related updates: www.hawaii.edu/bor

ORDER OF THE DAY

- I. **Call Meeting to Order**
- II. **Public Comment Period for Agenda Items:**

All communications from the Public to the Board of Regents is welcomed and distributed to all regents. To enable the Board to conduct its business, public comment at meetings may only be provided on agenda items noted below. Individuals who are unable to provide testimony at this time will be allowed an opportunity to testify when specific agenda items are called.

All comments on agenda items received after posting of this agenda and up to the end of the meeting will be distributed to the board as testimony. Written testimony may be submitted via the board's website through the testimony link provided on the Meeting Agendas, Minutes and Materials page. Testimony may also be submitted via email at bor.testimony@hawaii.edu, U.S. mail at 2444 Dole Street, Bachman 103, Honolulu, HI 96822, or facsimile at (808) 956-5156.

Those wishing to provide oral testimony virtually may register [here](#). Individuals wishing to orally testify virtually are requested to register no later than 7:30 a.m. on the day of the meeting in order to be accommodated. Registration for in-person oral testimony on agenda items will also be provided at the meeting location 15 minutes prior to the meeting and closed at the posted meeting time. It is highly recommended that written testimony be submitted in addition to registering to provide oral testimony. Oral testimony will be limited to three (3) minutes per testifier.

Although remote oral testimony is being permitted, this is a regular meeting and not a remote meeting by interactive conference technology under Section 92-3.7, Hawai'i Revised Statutes (HRS). Therefore, the meeting will continue

If you need an auxiliary aid/service or other accommodation due to a disability, contact the Board Office at (808) 956-8213 or bor@hawaii.edu as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

notwithstanding loss of audiovisual communication with remote testifiers or loss of the public broadcast of the meeting.

All written testimony submitted are public documents. Therefore, any testimony that is submitted orally or in writing, electronically or in person, for use in the public meeting process is public information and will be posted on the board's website.

III. Agenda Items

- A. Update on Maunakea Stewardship and Oversight Authority
- B. Update on Recent Federal Presidential Executive Orders
- C. Executive Session (closed to the public):

Legal Matters: To consult with the board's attorneys on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities, pursuant to Section 92-5(a)(4), HRS.

- 1. Recent Federal Presidential Executive Orders and Related Actions

- D. Discussion and Possible Board Action Regarding Board of Regents Legislative Advocacy per [Office of Information Practices Quick Review: Sunshine Law Options to Address State Legislative Issues and Measures](#)
- E. Discussion and Possible Board Action on Pending Legislation Including:
 - 1. [HB50 RELATING TO STATE GOVERNMENT](#). Authorizes boards and commissions to make employment decisions related to its officers and employees without the approval of the head of the department to which the board or commission is administratively attached.
 - 2. [HB403 RELATING TO THE SUNSHINE LAW](#). Authorizes any member of a board to attend an informational meeting or presentation on matters relating to board business; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. Repeals the requirement of a subsequent report of attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.
 - 3. [HB1329 RELATING TO COMMUNITIES](#). Requires any state or county department pursuing any major plan or work effort that is likely to significantly affect members of any community to: (1) Conduct a public hearing on the issue, and post notices on the department's website; and (2) Send direct notices of the public hearing to state and county elected officials who have constituents in the community.
 - 4. [HB1453 RELATING TO PUBLIC MEETINGS](#). Prohibits boards from beginning or continuing meetings after 9:00 p.m., excluding county council meetings.

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5. **SB270 RELATING TO THE SUNSHINE LAW**. Authorizes any member of a board to attend an informational meeting or presentation on matters relating to board business; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. Repeals the requirement of a subsequent report of attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.
6. **SB372 RELATING TO STATE NAMING COMMISSION**. Establishes an Advisory Commission in the Department of Accounting and General Services to propose names or a change of names for state buildings, parks, facilities, and events.
7. **SB381 RELATING TO PUBLIC AGENCY MEETINGS**. Requires appointments and selections of heads of state divisions and agencies that require a board approval to be made through a publicly established process and timeline. Requires the approval of the process and timeline to appoint or select a new head of a state division or agency to be determined in an open meeting. Requires that votes to appoint or select heads of state divisions and agencies be conducted in an open meeting. Provides that any vote to appoint or select a head of a state division or agency cast in violation of the foregoing shall be invalid.
8. **SB741 RELATING TO THE UNIVERSITY OF HAWAII**. Establishes an External Audit Committee within the University of Hawaii to audit the University of Hawaii System and the Board of Regents. Requires annual reports to the Legislature.
9. **SB1253 RELATING TO BOARDS AND COMMISSIONS**. Clarifies that the prohibition against board and commission holdover members from holding office beyond the end of the second regular legislative session following the expiration of the member's term of office takes precedence over any conflicting statutes.
10. **SB1254 RELATING TO THE BOARD OF REGENTS**. Prohibits active employees of the University of Hawaii and the Research Corporation of the University of Hawaii from serving on the Board of Regents.
11. **SB1556 RELATING TO TRUSTED PUBLIC REPRESENTATIVES**. Establishes a Trusted Public Representative Program within the Office of Information Practices under which the Office assigns a volunteer Trusted Public Representative trained in the requirements of the Sunshine Law and observes public agency meetings closed to the public. Allows the Office of Information Practices to conduct background checks of current and prospective Trusted Public Representatives. Requires annual reports to the Legislature. Appropriates funds.
12. **SB1617 RELATING TO PUBLIC MEETINGS**. Prohibits boards from beginning or continuing meetings after 9:00 p.m., excluding county council meetings.
13. **SB1651 RELATING TO PUBLIC MEETINGS**. Requires board packets to be posted two or more full business days before a public meeting.

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14. [GM624 Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, JOSHUA FAUMUINA, for a term to expire 06-30-2026](#)

IV. Adjournment

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RESOLUTION**23-01****To Further Act on Items Relating to Maunakea Management and Repeal of Regents Resolutions 19-03 and 21-02**

WHEREAS, the Board of Regents (“**Board**”) believes and acknowledges that Maunakea holds a special and important place in the history, culture, and hearts of the peoples of Native Hawaiian ancestry and all of Hawaii;

WHEREAS, Maunakea has become a symbol of Native Hawaiian self-determination;

WHEREAS, the Board, in response to past criticisms, has clarified its roles, duties, and responsibilities beginning with the adoption of the following: (a) *Mauna Kea Science Reserve Master Plan* (2000), updated by *Master Plan for the University of Hawai‘i Maunakea Lands: E Ō I Nā Leo (Listen to the Voices)* (2022); (b) *Mauna Kea Comprehensive Management Plan UH Management Areas* (2009), updated by *Comprehensive Management Plan 2022 Supplement: Management Actions Update* (2022); (c) *A Cultural Resources Management Plan for the University of Hawai‘i Management Areas on Mauna Kea* (2009); (d) *Natural Resources Management Plan for the UH Management Areas on Mauna Kea* (2009); (e) *Public Access Plan for the UH Management areas on Mauna Kea* (2010); and (f) *Decommissioning Plan for the Mauna Kea Observatories* (2010) (collectively, “**Management Plans**”);

WHEREAS, under said Management Plans, the Board was principally responsible to fulfill and to carry out all of the recommendations, obligations, and duties promulgated under said Management Plans;

WHEREAS, the Board realizes that any mismanagement of Maunakea is hurtful and disrespectful to the sanctity and inviolability of this place to Native Hawaiians and others;

WHEREAS, Act 255 Session Laws of Hawai‘i 2022 (“**Act 255**”), codified in part under Haw. Rev. Stats chapter 195H, establishes the Mauna Kea stewardship and oversight authority (“**MKSOA**”), with broad powers to oversee stewardship of Maunakea after a five-year transition period beginning July 1, 2023, during which the MKSOA shall jointly manage Maunakea lands with the University;

WHEREAS, Act 255 requires the transfer of real property agreements and permits related to astronomy facilities and support services on Maunakea, granted to the University by the Board of Land and Natural Resources (BLNR) (collectively, “**UH Entitlements**”), to the MKSOA on or before July 1, 2028;

WHEREAS, the Board takes its responsibility seriously and hereby reaffirms its commitment to follow through with the recommendations made in the Management Plans and UH Entitlements to better manage the impacts of the astronomy facilities and operations upon the natural environment, cultural resources, recreational resources, educational resources, and upon the broader community, until July 1, 2028, or earlier time as UH Entitlements are transferred to the MKSOA;

WHEREAS, the Board also realizes that the enactment of Act 255 has thrown into question,

RESOLUTION**23-01**

during the five-year transition period, the Management Plans, the UH Entitlements, and the authority of the University to pursue or comply with obligations set forth therein, including the pursuit of a new teaching telescope at Hale Pōhaku;

WHEREAS, because of the uncertainty created by Act 255, Resolutions 19-03 and 21-02 no longer provide clear guidance, and the University still needs to continue to perform all of its stewardship responsibilities notwithstanding the questions surrounding the MKSOA and how it will “jointly manage” Maunakea lands with the University; and

WHEREAS, the Board wishes to clearly restate its desire for the University, in consultation with the MKSOA and BLNR, to complete ongoing responsibilities in an accelerated and expeditious manner.

NOW, THEREFORE, BE IT RESOLVED that Regents Resolutions 19-03 and 21-02 are hereby repealed.

BE IT FURTHER RESOLVED that Chair Alapaki Nahale-a and Regent Wayne Higaki, as the Board’s representatives to the Maunakea Management Board and for Hawai‘i Island residents, engage with the MKSOA and BLNR to craft an agreement providing clarity and a common understanding on how to “jointly manage” Maunakea lands and provide monthly updates via the Governance Committee until an agreement is achieved.

BE IT FURTHER RESOLVED that the University of Hawai‘i President David Lassner, University of Hawai‘i at Hilo Chancellor Bonnie Irwin, University of Hawai‘i Vice President for Research and Innovation Vassilis Syrmos, Maunakea Support Services, Institute for Astronomy, Center for Maunakea Stewardship (“CMS”), and any other necessary, related management or operation entity be directed to cause the following action items to be accomplished in the timeframes as specified herein below:

1. Provide progress updates to the Board every six months regarding progress made toward the accomplishment of action items set forth in this Board Resolution.
2. Two (2) observatory sites known as the Caltech Submillimeter Observatory (“CSO”) and Hōku Ke‘a Observatory (“HKO”) shall be decommissioned, assuming no permitting, weather, and access issues the target date for CSO and HKO decommissioning is no later than August 31, 2024. For purposes of this resolution, the term “decommissioning” shall mean the complete removal of all man-made structures at each respective site bringing each site as close as feasible to its natural state prior to construction.
3. To ensure the prompt availability of a teaching telescope for the University of Hawai‘i at Hilo Physics and Astronomy Program, a new educational telescope facility shall be established on already developed land at Hale Pōhaku, in coordination with MKSOA and the Department of Land and Natural Resources (“DLNR”) as contemplated in this resolution. The Board shall support the funding of the planning, design, and construction of the new educational facility.
4. In collaboration with CMS, the ‘Imiloa Astronomy Center shall continue to develop and implement educational programs regarding Maunakea, including but not limited to Native

RESOLUTION

Hawaiian culture, history, environmental, and biological considerations designed for tour guides and drivers, employees, contractors, recreational users, scientists and observatory workers, and visitors, as required by the Management Plans, in coordination with MKSOA and DLNR as contemplated in this resolution.

5. In coordination with MKSOA, the Maunakea Observatories, and DLNR, on or by December 30, 2025, a determination will be made on the decommissioning of up to three (3) additional observatory sites based upon compliance with existing or future permits or governmental approvals. If decommissioning is still required, the three (3) observatory sites will be identified and reported to the Board by January 2026.
6. In implementing its obligations under the Management Plans and UH Entitlements to the extent still allowable under Act 255, the University will seek the MKSOA’s input; provided that, the University will make final decisions on any matters that require the University to act to fulfill its legal obligations until such time as the UH Entitlements are transferred and assigned to the MKSOA on or before July 1, 2028, whichever occurs sooner.
7. Enter into an agreement with MKSOA, such as a memorandum of understanding, which outlines how the University and MKSOA will jointly manage during the transition by agreeing to general parameters that set forth clear expectations for the University and MKSOA. The agreement should address, among other things (a) when and how the University should seek MKSOA’s input as it relates to the University’s obligations to implement and enforce Haw. Admin. Rules chapter 20-26, (b) how the University and MKSOA will cooperatively implement the terms and conditions of the UH Entitlements, and (c) operationalize the terms “jointly manage” and “day-to-day operations” as those terms are used in Act 255. Failure to enter into such agreement shall not prevent the University from meeting its obligations, for example, under UH Entitlements or other existing legal obligations.

Adopted by the Board of Regents
University of Hawai‘i
August 17, 2023

UNIVERSITY OF HAWAI‘I SYSTEM ANNUAL REPORT



REPORT TO THE 2025 LEGISLATURE

Annual Report on the Mauna Kea Lands

HRS 304A-1905

December 2024

REPORT TO THE THIRTY-THIRD LEGISLATURE
STATE OF HAWAII
2025 REGULAR SESSION

ANNUAL REPORT ON THE MAUNA KEA LANDS

Pursuant to Hawai'i Revised Statutes (HRS) § 304A-1905, "Mauna Kea Lands; reporting requirements," the University of Hawai'i (UH) respectfully submits its report on (1) Maunakea lands activities; (2) current and pending lease agreements and fees; (3) the status of current and pending administrative rules; (4) income and expenditures of the Mauna Kea lands management special fund established in HRS § 304A-2170; and (5) other issues that may impact the activities on the Mauna Kea lands. Consistent with past practice, this report covers the fiscal year 2024 (FY24), which started on July 1, 2023, and ended on June 30, 2024, but may also include matters and data outside FY24 where relevant.

I. Current and Pending Lease Agreements and Fees

In 1964 the Hawai'i State Legislature passed Senate Concurrent Resolution 16 (SCR 16) stating that the "State of Hawaii and its citizenry are most desirous and willing to co-operate and aid in the promotion of our nation's space program and research to the benefit of the County of Hawaii, the state and the nation." It was resolved that the governor set aside and establish an appropriate area on the summit of Maunakea for the installation and operation of telescope observatory and astronomical activities. In fulfillment of SCR 16, the Mauna Kea Science Reserve (MKSR) was established in 1968, and the Board of Land and Natural Resources (BLNR) and UH entered into an agency-to-agency lease granting UH a lease of the Science Reserve for a term expiring on December 31, 2033 (MKSR General Lease). The lease is gratis, a common practice for leases between government agencies and one that supports the goal of benefiting the County of Hawai'i, the State, and the Nation.

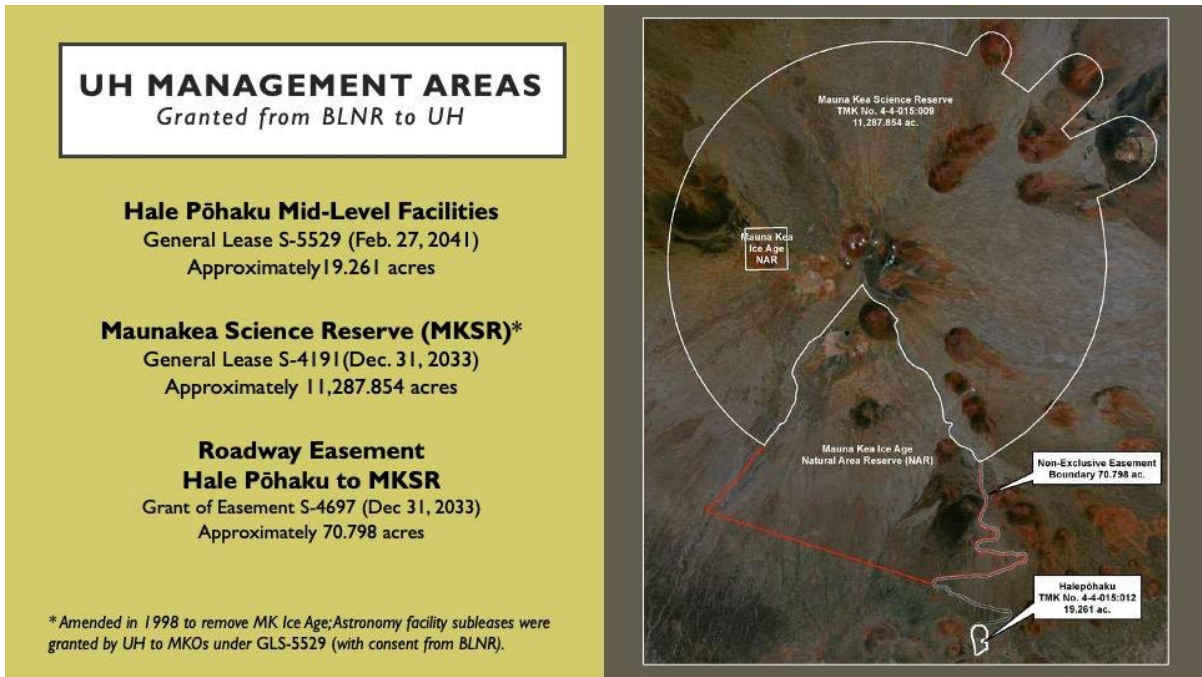


Figure 1. UH-Managed Lands

Also in 1964, Governor John A. Burns recognized that Hawai'i has “. . . some obvious natural advantages in this area of scientific research, [and that Hawai'i] must capitalize on these, utilizing all our available resources at the University, in the industrial community and at the levels of State and local government.” He also emphasized that Hawai'i is not “constrained by these physical advantages.” “We can acquire competence in any field of scientific inquiry,” and “[t]he limitations are only those we impose on ourselves.” (Honolulu Advertiser, August 7, 1964).

Governor Burns understood the demand for manual labor in agriculture would decrease over time, and that future jobs would require technicians and scientists. The development of a research enterprise would provide jobs of the future. The two areas Governor Burns felt the state should pursue were in the fields of oceanography and astronomy, areas in which the State of Hawai'i unquestionably excels.

In a State-supported effort to establish astronomy as a viable research endeavor and establish Hawai'i as a center for astronomical research, UH entered into subleases with 11 organizations to operate astronomical observatories. BLNR approved all subleases, which are co-terminus with the MKSR General Lease. Each sublessee is obligated to provide a guaranteed percentage of viewing time to UH. Viewing time provides invaluable advantages for advancing UH, Hawai'i's only State-funded institution of higher education, as a center for excellence in research, including astronomy. Sublessees also agreed to pay for the costs of research support operations provided by UH, contributed to an infrastructure fund, and, in some cases, paid for the construction of support facilities.

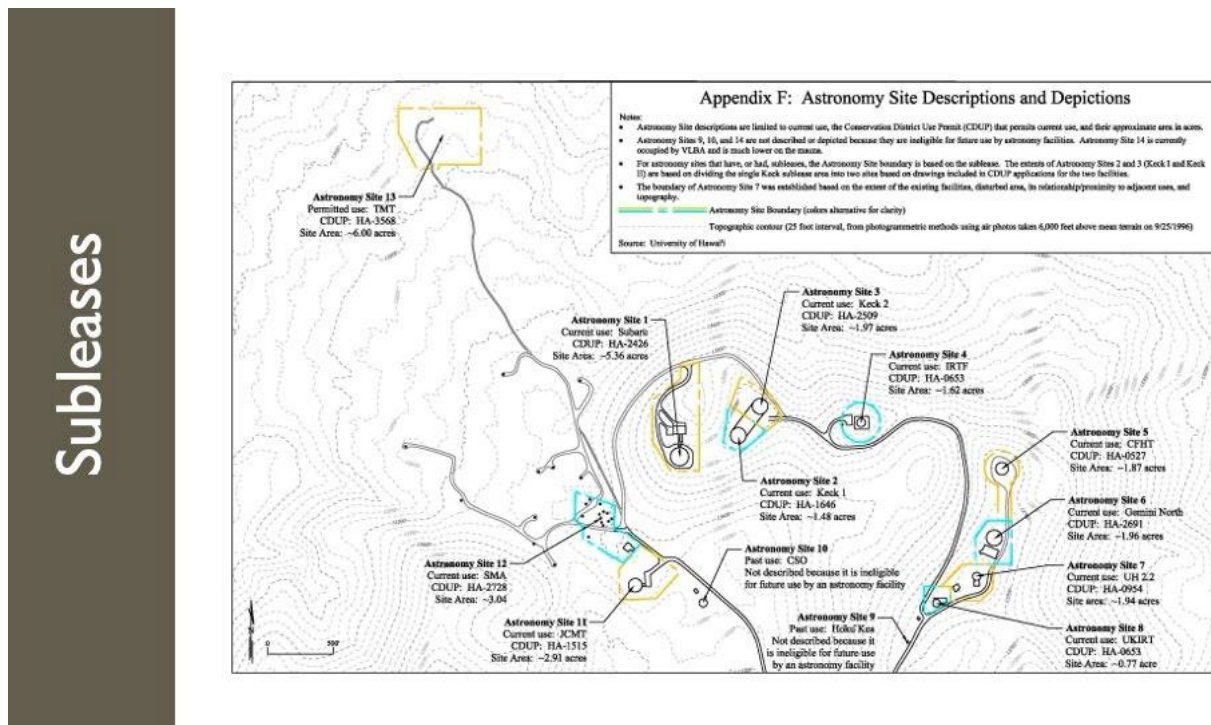


Figure 2. Observatory Subleases

At little monetary cost and development risk to the State, UH is recognized as one of the Nation's leading astronomical research institutions and globally as the center of excellence for astronomical research. This recognition contributes significantly to the State's efforts to expand its high-technology sector. The annual economic impact of astronomy in the State in 2019 was \$220.95 million (\$261.33

million in 2022 dollars (CPI-U)), with the largest impacts found on Hawai‘i Island and Honolulu, \$101.68 million (\$120.26 million in 2022 dollars (CPI-U adjusted)) and \$86.96 million (\$102.85 million in 2022 dollars (CPI-U adjusted)), respectively. Additional benefits accrue to the State and local communities through opportunities in scientific, professional, technical, and administrative employment within the local community.

In preparation for seeking a new land authorization (e.g., a new general lease from the BLNR beyond 2033), UH updated the “Mauna Kea Science Reserve Master Plan,” adopted by the UH Board of Regents (BOR) in 2000, and the “Mauna Kea Comprehensive Management Plan,” adopted by the BLNR in 2009 (collectively, “Plans”). The effort to update the Plans involved significant community and stakeholder input. UH’s new master plan, E O Nā Leo: Listen to the Voices, was adopted by the Board of Regents in January 2022, and the updated Mauna Kea Comprehensive Management Plan, Comprehensive Management Plan 2022 Supplement, was approved by the BLNR in July 2022. Among other things, the Plans integrate management actions that strive for a renewed balance across the cultural, natural, educational, and recreational values Maunakea provides the State. The Plans also address decommissioning commitments UH has made and the replacement of the University of Hawai‘i Hilo’s educational telescope from the summit to the mid-level facilities at Halepōhaku.

In 2018, UH began preparing an environmental impact statement (EIS) for UH’s proposed new land authorization to continue astronomy on Maunakea. Prior to the 2022 Legislative Session, the House of Representatives established the Maunakea Working Group to recommend alternative governance structures for the future management of Maunakea. The purpose was to replace UH as the responsible entity for managing the Mauna Kea Science Reserve, Hale Pōhaku, and the roadway easement connecting Hale Pōhaku and the Mauna Kea Science Reserve. After considering the Working Group’s recommendation, HB 2024 was introduced. HB 2024 was signed into law by Governor Ige in June 2022 as Act 255.

Act 255 establishes the Mauna Kea Stewardship and Oversight Authority (MKSOA), which will assume management responsibilities for the current UH-managed lands on Maunakea. MKSOA is comprised of eleven voting Board members and one non-voting ex-officio member (UH Hilo Chancellor). Act 255 sets a five-year transition period ending July 1, 2028. During the transition period, UH and MKSOA will “jointly manage” Maunakea while MKSOA is formally organized and prepares to assume all legal and operational responsibilities currently under UH management (e.g., UH’s two general leases, grant of easement, and all conservation district Use Permits (CDUPs) held by UH for third party non-UH astronomy facilities and buildings, physical assets, vendor contracts, liabilities, etc.). Act 255 also grants MKSOA certain land disposition responsibilities currently under the jurisdiction of the BLNR and appropriated \$14M for MKSOA start-up for FY24.

Act 255 prohibits new leases on Maunakea until after the transition period ends and leases are taken over by MKSOA. Consequently, all UH work on the EIS, new land authorizations from BLNR, and new real property sub-agreements with Maunakea observatories have ceased. As referenced in Act 255, the decommissioning and removal of two astronomy facilities by UH was underway at the time the Legislature passed the Act: (1) Caltech Submillimeter Observatory (CSO), a private facility, and 2) UH Hilo’s Hōkū Ke’a teaching telescope. Both projects were completed in FY24.

A. Thirty Meter Telescope (TMT) Sublease

On September 27, 2017, the BLNR issued its 271-page Findings of Fact, Conclusions of Law and Decision and Order containing 1,070 Findings of Fact and 512 Conclusions of Law, for the CDUP allowing the construction and operation of TMT. On October 30, 2018, the Hawai'i Supreme Court affirmed the CDUP after various parties appealed. The process for obtaining the CDUP approval took approximately seven years from the permit application's initial submission in 2010, including two contested cases, several judicial appeals, and two Hawai'i Supreme Court decisions. Parties continue to challenge the TMT project.

Unlike the other existing observatory subleases, which provide for nominal rent in exchange for viewing time and sublessee contributions to shared operations, maintenance, and stewardship of Maunakea, the TMT International Observatory (TIO) sublease provides for substantial lease rent payments in addition to these other terms. Pursuant to TIO's sublease, annual lease rent started at \$300,000. The lease rent schedule is phased, with increases based on construction activity adjusted for CPI. Full annual lease rent payments of \$1,080,000 a year will begin in FY 2025. In FY24 TMT paid \$1,141,862 in lease rent and, to date, \$5,013,858 has been paid. These payments are deposited into the Mauna Kea Lands Management Special Fund as the legislature directed in 2009 Hawai'i Session Laws Act 132 (codified at HRS § 304A-2170). In addition, TIO committed \$1 million per year in donations to community benefits, primarily by advancing STEM education on Hawai'i Island, and a similar amount to a workforce pipeline initiative as operations become imminent to maximize employment opportunities for residents. To date, TIO has contributed \$5.5 million dollars to the THINK fund and at least \$25,000 to programs that assist at-risk youth, specifically focusing on the children of incarcerated parents. TIO is currently waiting on National Science Foundation (NSF) funding to commence with construction. NSF initiated a Section 106 consultation process as part of its review of TIO's application for funding. This process, conducted by NSF, involved months of pre-consultation meetings with the community followed by three public meetings on Hawai'i Island in 2022. NSF is still in the process of reviewing comments submitted during the public comment period. NSF has not set a date for issuing its report nor for restarting the Section 106 process.

B. New Maunakea Observatory (MKO) Agreements

In FY21, UH initiated discussions with MKO Directors regarding new agreements post-2033, which is when their current subleases terminate. Those discussions continued into FY22 and covered various terms, including rent, stewardship fees, community benefits, shared use and maintenance costs, and property or use rights. The goal of these negotiations was to have an agreed-upon set of terms by the end of 2022. The process for developing these new agreements included discussions with the community.

Consistent with Act 255, in addition to stopping UH work on a new general lease from BLNR, UH has halted all work on new MKO subleases. Act 255 states that the MKSOA "shall develop a management plan," and that the management plan shall, among other things, "[p]repare for and establish the framework, criteria, and procedures for any leases and permits."

II. Administrative Rules

Hawai'i Administrative Rules Chapter 20-26, "Public and Commercial Activities on Mauna Kea Lands," was adopted by the BOR on November 6, 2019, and approved by Governor David Ige on January 13, 2020 (MK Rules). UH has no pending administrative rule amendments related to Maunakea at this

time. BOR's adoption of the administrative rules is being challenged by opponents in *Flores-Case 'Ohana v. University of Haw.*, No. SCRQ-22-0000118.

The focus in FY24 was on implementation of the Comprehensive Management Plan (CMP) and MK Rules. This work included staff training, developing and updating administrative systems, improving signage, revamping employee and visitor orientation, improving education at the Visitor Information Station (VIS), expanding community outreach and education, updating the Rangers' operating procedures, and developing a restoration and outplanting plan for Halepōhaku that addresses, in part, public access for hikers and visitors not going to the summit. This work also included key hires and recruitment to fill vacancies and positions established based on the reorganization of Maunakea management and the creation of the Center for Maunakea Stewardship (CMS) (formerly the Office of Maunakea Management (OMKM)) approved by the BOR on August 20, 2020.

Act 255 repeals all UH plans and the MK Rules after the transition period and grants the MKSOA authority to develop its own plans and administrative rules.

III. Income and Expenditures of the Mauna Kea Lands Management Special Fund (HRS § 304A-2170)

As previously noted, TMT paid lease rent in the amount of \$1,141,862 in FY24, which was deposited into the Mauna Kea Lands Management Special Fund. In addition, \$246,468 in fees were collected from commercial tour operators and deposited in the fund, and \$400 in fees were collected for film permits. Interest income for the fund totaled \$47,428. A total of \$825,414 was used from the fund to help defray the cost of operating the Maunakea Ranger program, VIS, and road, facility, and infrastructure maintenance expenses. Total payments in FY 2024 of \$274,911 were made from the fund to the State Budget & Finance Department towards the annual payment by the State of \$21.5 million to the Office of Hawaiian Affairs (OHA). The beginning and ending balance of the Mauna Kea Lands Management Special Fund for FY24 was \$1,216,238 and \$1,302,268, respectively.

HRS § 304A-1905 requires reporting in this annual report of "income and expenditures of the Mauna Kea Lands Management Special Fund established in HRS § 304A-2170". However, it is important to note that the Mauna Kea Lands Management Special Fund comprises a fraction of the revenue required to fund the overall direct costs to UH for the management and stewardship of Mauna Kea. In FY24, the Mauna Kea Lands Management Special Fund represented 46% of total revenues required to cover UH's costs to fulfill its stewardship responsibilities. The balance of revenues required derives from a combination of general funds, UH tuition and fees, and research funds. In addition to management expenses, and as part of its stewardship responsibilities, UH also funds planning, permitting, and legal expenses needed to ensure compliance with conservation district rules and lease requirements. Those costs have ranged between \$500,000-\$1.2 million annually. Act 255 repeals the Mauna Kea lands management special fund on July 1, 2028, with any remaining balance being transferred to the new Mauna Kea management special fund established thereunder. UH's direct costs for management, stewardship, planning, permitting, litigation, and compliance will need to be replaced by MKSOA through other funding sources.

IV. Maunakea Lands Activities and Other Activities

A. Commercial Tour Operations

Nine commercial tour operator permits were transferred from the State of Hawai'i Department of Land and Natural Resources (DLNR) to UH in 2005. Two operators have gone out of business, and seven operator permits remain active. During the pandemic, only six were operating; the seventh planned to restart in 2022 but has not done so yet. That permittee continues to pay their monthly minimum payment to keep their permit active. Each commercial tour operator is charged a \$6.00/tour passenger fee which is submitted to CMS every month. All fees are deposited into the Mauna Kea Lands Management Special Fund and are used to cover management and stewardship activities on Maunakea. Twenty percent of the fees collected are set aside for payment to OHA. In FY24, a total of \$246,468 was collected from commercial tour operators.

The COVID-19 pandemic significantly impacted commercial tour operators, demonstrating the risks of an overreliance on this revenue stream. UH has engaged in outreach to individual commercial tour operators to seek their input on fee increases and permitting requirements. While working to bring existing permits into compliance with the MK Rules, UH has also been considering additional options for managing visitor access, including concessions, a shuttle system, and new permit requirements. UH plans to work on updating commercial tour permits as required by the MK Rules but will need to do so in collaboration with MKSOA under our joint management relationship.

In 2020 UH contracted with the UH Mānoa School of Travel Industry Management (TIM) to conduct a visitor and operator survey to better understand the relationship between demand, fee acceptance, and capacity. Completion of this study was impacted by COVID-19, which resulted in significantly reduced commercial tour demand and overall visitor traffic to Maunakea. Partial conclusions were submitted on a new fee structure but, considering Act 255, the scope of the remainder of this work is being re-evaluated since commercial activities and access management will fall under the purview of MKSOA after the transition period.

B. Decommissioning

Pursuant to the CDUP for the TMT project, the BLNR imposed special conditions regarding the decommissioning of telescopes on Maunakea, including the following:

Special Condition 10. The University will decommission three telescopes permanently, as soon as reasonably possible, and no new observatories will be constructed on those sites. This commitment will be legally binding on the University and shall be included in any lease renewal or extension proposed by the University for Mauna Kea.

Special Condition 11. Notwithstanding any lease renewal or extension, consistent with the Decommissioning Plan, at least two additional facilities will be permanently decommissioned by December 31, 2033, including the Very Long Baseline Array antenna and at least one additional observatory.

Related to decommissioning, on November 6, 2019, the BOR adopted Resolution 19-03, "Resolution to Act on Items Relating to Maunakea Management" (later revised in part by BOR Reso. 21-02) (BOR Reso. 19-03). Accordingly, a schedule to decommission CSO and Hōkū Ke'a by December 31, 2021, was presented to the BOR. This presentation including the schedule is available at <http://go.hawaii.edu/Fp3>. This schedule was updated due to COVID-19 and permitting delays with the new projected timelines discussed below.

BOR Reso. 19-03 established a December 30, 2025 deadline to determine which three additional telescopes will be decommissioned in compliance with existing or future permits or governmental approvals. UH began discussions with sublessees to prepare a framework for decision-making for public comment and review as part of the Plans update process. However, these discussions between UH and sublessees stopped with the passage of Act 255, which will transfer the CDUP for TMT to MKSOA in 2028 after the transition period. UH Plans will also no longer be applicable after the transition period, wherein UH committed to nine (9) operating astronomy facilities on Maunakea after decommissioning conditions had been met. Important to note here is that subleases are co-terminus with the MKSR General Lease, which expires in 2033. The subleases and MKSR General Lease all provide provisions for the removal or transfer of ownership of astronomy facilities on Maunakea on or before 2033.

In June 2024 UH announced the completion of the Hōkū Ke‘a decommissioning <https://www.hawaii.edu/news/2024/06/02/maunakea-1st-telescope-decommissioning-complete/>.



Figure 3. Hōkū Ke‘a Decommissioning: Before and After

In July 2024, UH announced the completion of the CSO decommissioning <https://www.hawaii.edu/news/2024/07/02/second-observatory-removed-maunakea/>.

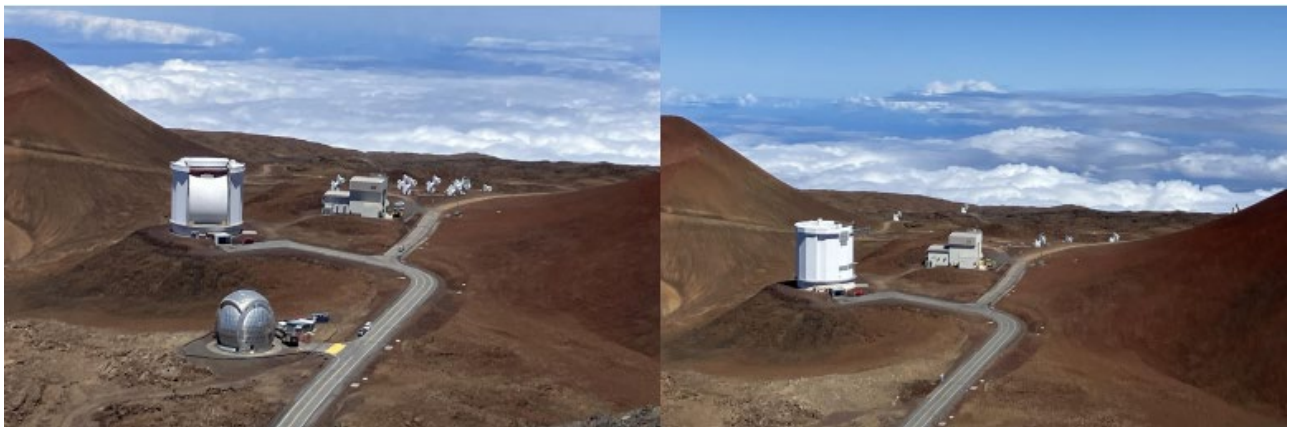


Figure 4. CSO Decommissioning: Before and After

In addition to CSO and Hōkū Ke‘a, finding of fact 171 of the TMT CDUP issued for TMT identified the United Kingdom Infrared Telescope (UKIRT) for decommissioning by the time the TMT project becomes operational, and the BLNR identified the Very Long Baseline Array (VLBA) for decommissioning in Special

Condition 11 of the same CDUP. Act 255 contemplates the transfer of all CDUPs issued to UH for astronomy facilities owned by third parties, like TMT, to MKSOA. Act 255 also directs MKSOA to develop a framework for future astronomy development on Maunakea, as codified under HRS § 195H-6:

(d) The authority shall be responsible for the establishment of a framework for astronomy-related development on Mauna Kea. The framework may include: (1) Limitations on the number of observatories and astronomy-related facilities, or an astronomy facility footprint limitation; (2) Prioritizing the reuse of footprints of observatories that are scheduled for decommissioning, or have been decommissioned, as sites for facilities or improvements over the use of undeveloped lands for such purposes; and (3) A set of principles for returning the lands used for astronomy research to their natural state whenever observatories are decommissioned or no longer have research or educational value.

Consequently, the MKSOA will need to determine the future status of these permit conditions.

C. Stewardship

The 2020 CMP Update provided a status update on all 103 management actions contained in the plan. In FY24, CMS updated the status of the 103 action items, of which 16 are now deemed completed, 13 are deemed completed/ongoing, and 74 are classified as ongoing¹.

At the time of this writing, several of the priority ongoing management actions were still in process as fieldwork was delayed by weather and/or final reports were still under review. This includes our annual historic site and arthropod surveys. Preliminary data are that 106 of the 263 historic sites and 111 arthropod sites on UH managed lands were monitored in FY24.

Finally, since the end of FY24 CMS has received acceptance notifications of our annual archaeological monitoring reports submitted to the State Historic Preservation Division (SHPD) for the years 2012-2022. We are awaiting review and acceptance of our 2023 report. SHPD has been backlogged on reviewing our reports but has been able to address this gap in the past year.

¹ Completed means the management action is done; completed/ongoing means the management action required a discreet task to be done which has been completed but requires an ongoing element which is never completed; and ongoing means this is a management action that never ceases.

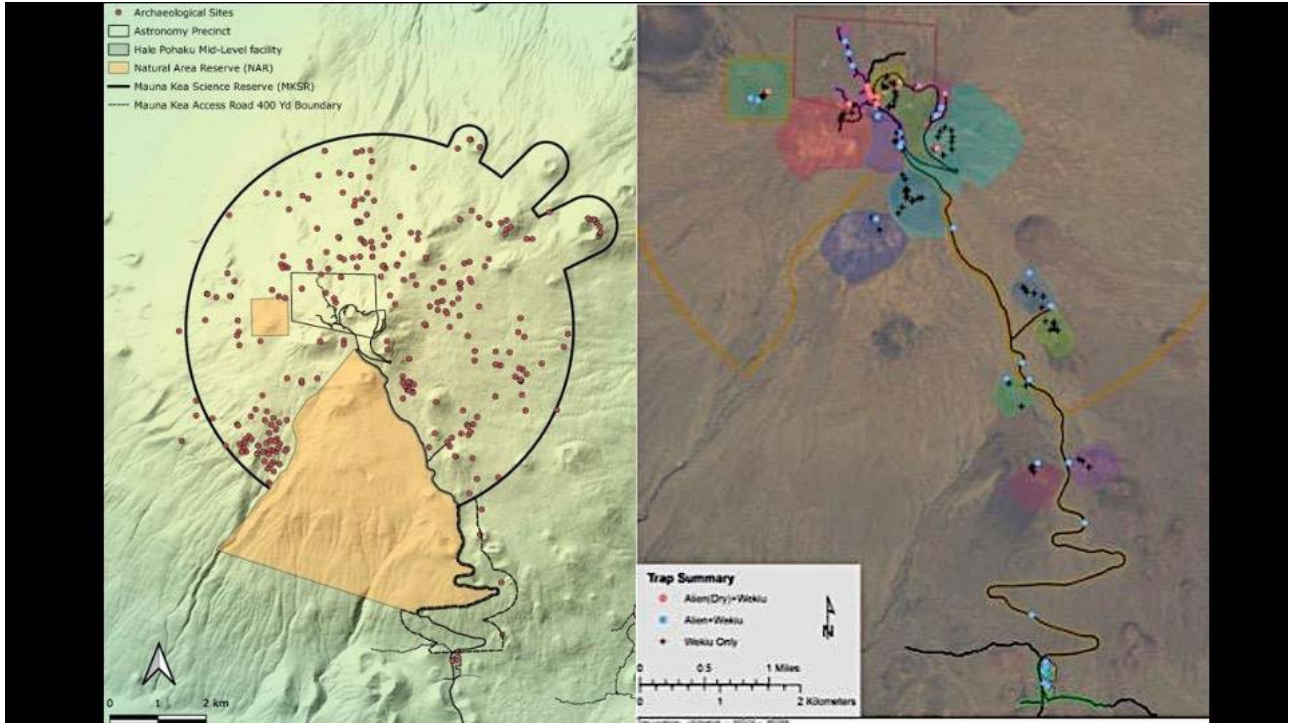


Figure 5. Historic (left) and Arthropod (right) Survey sites.



Figure 6. Resource Management Team Conducting Annual Arthropod Survey.

Reducing invasive threats to the landscape and habitat restoration are important elements of the CMP. In FY24, our resource management team removed 15,770 lbs. of invasive weeds totaling about 2 acres of area in our restoration area at Hale Pōhaku with the assistance of approximately 571 community volunteers. In addition, 369 invasive species inspections were conducted on large vehicles during the

year, primarily due to the decommissioning projects that were underway. Three (3) inspections were rejected, and seven (7) were approved with immediate treatment.

Restoration efforts were advanced with the continued success of our propagation and outplanting program conducted in partnership with DLNR. On average, since 2019, UH has planted 180 native plants annually in our restoration area. Through an agreement with DLNR initiated by UH in FY23, UH supports the maintenance and restoration of the department's 'ahinahina (SILVERSWORD) enclosure adjacent to our UH managed lands and has assisted in building fences around restoration areas on other DLNR lands adjacent to ours. In FY24, the resource management team completed a draft of a restoration plan for our lands at Hale Pōhaku that will guide our future efforts. The plan includes expanding our greenhouse facilities to support UH and DLNR propagation programs more broadly, an area for cultural and resource management practitioners to gather for educational programs, and a walking trail in and around Hale Pōhaku where hikers can learn about Maunakea's cultural and natural resources through interpretive experiences. This plan is not yet permitted or funded and is years from implementation; UH will work with MKSOA on implementation through our joint management relationship.

Protecting Maunakea's cultural resources is a high priority for UH. In addition to our annual monitoring program, in late FY24, UH initiated preliminary discussions with the Royal Order of Kamehameha (ROOK) concerning access management for, and maintenance of, the summit ahu that they have kuleana for. This has been a goal of UH for many years as that site has experienced steady and growing visitation by non-cultural practitioners. UH Rangers inspect the site weekly and maintain it as best they can, but the site requires more than what we are able to help the ROOK with. Discussions with ROOK were hindered in the past by the TMT protests but, with the passage of time, a renewed spirit of cooperation has sprouted. UH will continue to explore management options with ROOK and are hopeful a partnership can be established.

D. Public and Commercial Access

Our Rangers and VIS staff provide important education and information to residents and visitors on how to safely and respectfully experience Maunakea. In FY24, approximately 139,332 vehicles drove to the Visitor Information Station. Of those, approximately 28,648 visitor vehicles (i.e., non-employee, non-contractor, non-commercial) drove to the summit with an estimated 73,196 passengers. In addition, our Rangers monitored the access of approximately 6,016 hikers who cross UH managed lands to access DLNR lands before crossing again on to UH managed lands to reach the summit. All vehicles going to the summit and all hikers receive a safety briefing before ascending to educate them about altitude sickness, safe 4WD driving, emergency contacts, sensitive cultural sites, and visiting respectfully. Upon descent, all vehicles undergo a brake temperature check to ensure the vehicle is safe to operate. In FY24, there was a total of 3,112 commercial tour operator trips to the summit with 36,890 visitors. Commercial tour operators and our Rangers together provide these safety briefings.



Figure 7. Overheated Brakes

Our administrative rules allow UH to close the summit road due to natural disasters, inclement weather, and/or other emergency situations that make going to the summit unsafe. In FY24, the Rangers had to implement partial-day closures on 83 days and full-day closures on another 20 days.

E. Planning and Permitting

CMS is responsible for ensuring that all activities on the mauna comply with existing land use agreements, entitlement permits, applicable statutes, UH administrative rules, and the BLNR-approved CMP. A major focus for CMS in FY24 was managing, monitoring, and enforcing permit requirements covering the decommissioning of the CSO and Hōkū Ke‘a facilities. This was the first time a facility decommissioning on Maunakea has occurred since the initiation of astronomy on the summit in 1968, and it has been a while since there was any construction-like activity of this magnitude taking place. Managing two projects occurring at the same time added to the challenge. UH is very pleased and proud that both projects were completed without major incident and in compliance with their applicable permits.

UH processed another seven (7) projects in FY24 proposed by either an observatory or UH itself. All underwent review from our UH advisory groups, and by MKSOA for those projects that it had been agreed they would review and approve. All projects were approved by DLNR (OCCL) and are either completed, underway, or awaiting start.

In addition to the commercial tour permits, our administrative rules allow UH to issue film, research, and special use permits. There were twenty (20) film permit applications processed in FY24; five (5) were withdrawn and one (1) was denied. There were two (2) research permits reviewed and approved, and one (1) special use permit application submitted by the Air Force to conduct military communications testing that was denied.

F. Education and Outreach

Under the leadership of CMS’s new education coordinator hired in FY23, a new and updated education and outreach program has been developed. The program has three (3) areas of focus: exploration, conservation, and community, with a priority on developing collaborative partnerships with UH programs, the State of Hawai‘i Department of Education (DOE), charter schools, and native Hawaiian and other community organizations. A key initial step in preparing for plan implementation is staff development with a particular focus on natural and cultural resource education and training in cultural protocols.

A key emphasis of our education and outreach programs is to incorporate active engagement through hands-on participation in our stewardship programs. In FY24, 571 volunteers participated in our community workday programs, and we engaged approximately 3,000 youth and young adults through various community programs our staff participated in during the year. In FY24, CMS updated the educational exhibits at the VIS. New displays feature and provide background on Maunakea’s unique and special cultural heritage, natural environment, astronomy, and our stewardship programs. Improved signage has also been installed to educate visitors about visiting respectfully and safely while informing them of the administrative rules and permitted activities.



Figure 8. Updated VIS Signage Educational Displays.

All observatory and UH personnel and contractors are required to undergo biannual training on Maunakea's unique historical, cultural, and natural resources. The orientation also covers safety and all applicable rules and statutes governing activities on the Mauna. The training orientation is offered on-line, and certificates of completion are issued upon passage of a test at the conclusion of the video. In FY24, 681 tests were taken, and 582 certificates were issued.

G. Emergency and Disaster Response

Hurricane Hone occurred on August 24-25, 2024, just after the conclusion of FY24, but is reported here because of its recency and the fact that the impacts of the event will require ongoing mitigation. The unique element of the hurricane was the intensity of its force at the summit, which occurred in a short period of time. Wind speed was in excess of 100 mph at the summit during the height of the storm, and there were 10 inches of rain that fell in a 24-hour period. Runoff damage to the summit access road, the utility corridor, and to certain observatory sites was significant. Our Utility crew responded on the morning of August 25 while the storm was still passing and was able to repair the road enough to open summit access within 36 hours. Fortunately, only a few observatories suffered building or equipment damage. We estimate 95% of the repair work has been completed but there remain areas of the utility corridor and culverts that are still being addressed.



Figure 9. Hurricane Hone Damage.

H. MKSOA Transition

In FY24, UH continued to provide temporary administrative support to MKSOA to facilitate their start-up as a new body corporate and a public instrumentality of the state, placed within DLNR for administrative purposes. These services included some board and logistical coordination but mostly focused on staff training. Currently, UH provides office space for MKSOA at the 'Imiloa Astronomy Center of Hawai'i ('Imiloa Center) on the UH Hilo campus. CMS facilitated MKSOA using office space at our shared-use facilities at Hale Pōhaku for nominal rent while they search for office space in Hilo, which is proving challenging. MKSOA has obtained a lease from BLNR for a permanent facility in Hilo and is actively seeking funding for planning and engineering consultant support as the building requires significant renovation. CMS also provides MKSOA use of our four-wheel drive fleet when they need to access to the Mauna.

In FY24, MKSOA completed recruitment and hiring of their core management team. UH, through the CMS, has provided their new team with comprehensive reviews covering all UH plans, policies, leases, finances, operations, and other matters for which MKSOA assumes responsibility in July 2028. The purpose of these reviews was to educate the MKSOA management team on the basic management functions they will assume responsibility for, so they have a basis for developing their management plans, policies, administrative rules, and programs. Before their hiring, CMS provided similar reviews for the MKSOA Board.

To facilitate and ensure open and ongoing communications with the MKSOA in support of our joint management relationship, CMS proposed and initiated the creation of a joint management committee (JMC) comprised of the senior MKSOA and CMS management teams. The JMC meets bi-weekly to

discuss and decide on a variety of strategic and operational matters. In addition, the CMS Executive Director meets weekly with the MKSOA Executive Director and provides regular operational updates to the MKSOA board at their monthly board meetings. This is intended to keep the MKSOA board and management apprised of current issues and general matters UH is addressing on a day-to-day basis which are likely to recur when MKSOA assumes management responsibility in July 2028.

In FY24, CMS compiled a comprehensive inventory of all assets and liabilities to be transferred from UH to the MKSOA under Section 9 of Act 255. A substantial portion of these items was identified and listed in a letter from CMS to the BLNR chair and MKSOA chair on August 1, 2023. This letter is posted by the DLNR Office of Conservation and Coastal Lands on its Maunakea Management website, at <https://dlnr.hawaii.gov/occl/maunakea-management/>.

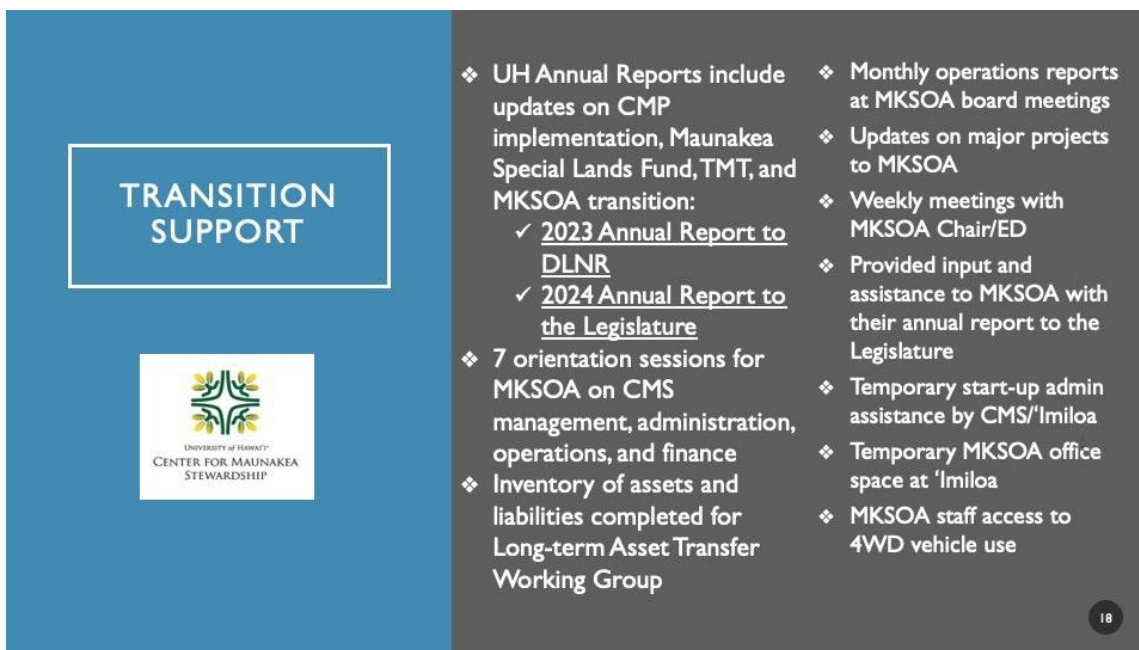


Figure 10. Brief Overview of CMS Transition Support

In FY24, MKSOA established the Long-term Asset Transfer Working Group (TWG), whose purpose is to develop a plan for the transfer of assets and liabilities. Members of the TWG include CMS, UH BOR, DLNR, MKSOA management, MKSOA consultants, and our respective legal counsel. MKSOA Board member (and BOR representative) Ben Kudo serves as the TWG Chair and is joined by fellow board member Paul Horner. The work of the TWG was delayed until MKSOA hired their attorney consultant, which they finalized in November 2024.

Finally, in support of MKSOA's requirements to develop a management plan per Act 255, and to support the transition in general, CMS developed a draft transition plan that was provided to the MKSOA management team in June 2024. That plan identified the categories of work and major tasks required in developing their management plan, as well as the larger tasks required to effectuate the transition. The draft plan did not identify a timeline for the work, as MKSOA staff was still in the process of hiring their planning consultant who will be engaged to establish their own plan. It is unclear as to the extent to which CMS's recommendations will be considered. In October 2024, MKSOA issued an RFP for a planning consultant and is still in the procurement process at the time of this writing.

REPORT TO THE THIRTY-THIRD LEGISLATURE
STATE OF HAWAII
2025 REGULAR SESSION



PREPARED BY THE:

MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY

IN RESPONSE TO:

Act 86, Session Laws of Hawaii 2014

IN RESPONSE TO:

Act 255, Session Laws of Hawaii 2022

December 2024

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I. INTRODUCTION

The Mauna Kea Stewardship and Oversight Authority (Authority) is in the second year of a transition period that ends on June 30, 2028; thereafter, the Authority will assume full responsibility for the Mauna Kea lands under the existing lease agreements between the University of Hawai'i and the Department of Land and Natural Resources.

The Authority continues to be directed by a 12-member board (11-voting members) which includes the following individuals:

- Board Chair:
 - John Komeiji
- Board Members:
 - Douglass Adams (until December 1, 2024)
 - Mayor Christian (Kimo) Alameda (from December 2, 2024)
 - Kamanamaikalani Beamer (until June 30, 2024)
 - Pomaikalani Bertelmann
 - Neil Hannahs (from July 1, 2024)
 - Paul Horner
 - Bonnie Irwin (ex-officio non-voting member)
 - Laura Kaakua (until January 15, 2024)
 - Ryan Kanaka'ole (from January 16, 2024)
 - Gary (Kalehua) Krug Jr.
 - Benjamin Kudo
 - Joshua (Lanakila) Mangauil
 - Richard (Rich) Matsuda
 - Michelle Noe Noe Wong-Wilson

In September 2024, the Authority, and the Center for Maunakea Stewardship (CMS) formed a joint management committee which meets bi-weekly to discuss a variety of strategic and operational issues; and when required, make the necessary decisions, and/or formulate recommendations for consideration by the Authority Board.

II. MANAGEMENT ACTIONS

The Authority Board Members have worked toward taking actions that will establish the foundation for ensuring that the organization can assume full responsibility after the 5-year transition period to preserve, protect, and responsibly manage the Mauna Kea lands. Although the board did not have staff to assist them in executing actions in the fiscal year 2023, support and/or cooperation from the State Legislature, 'Imiloa Astronomy Center, University of Hawai'i (UH), Center for Maunakea Stewardship (CMS), and Department of Land and Natural Resources has enabled them to proceed with the following:

Senior Management Team:

At the beginning of the fiscal year 2024, the recruitment process for five (5) established and authorized positions began with the solicitation of applications, candidate interviews, job offers, and in quarter four (4), fiscal year 2024, selections were made with employment start dates phasing-in for two (2) senior management positions, that included: Executive Director, John De Fries, and (Interim) Administrative Services Officer, Lloyd Unebasami. Project Director William Stormont started in quarter one (1) of fiscal year 2025. Together with Executive Assistant, Pua'ena Ahn, who started in quarter three (3) of fiscal year 2023, the Authority has a staff of four (4) and open recruitment is on-going for two (2) Program Specialists.

Formation of the Joint Management Committee:

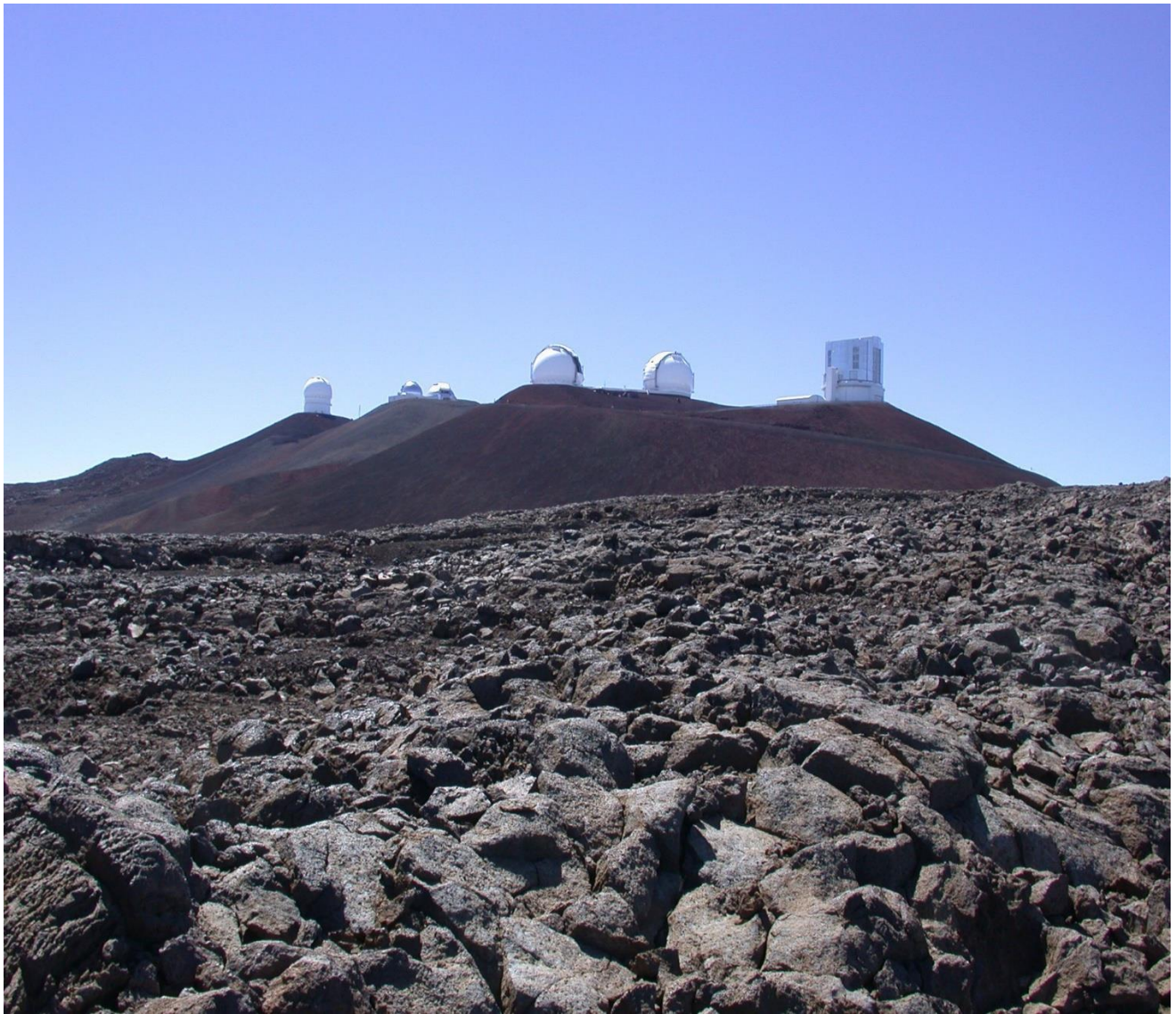
To complement the establishment in fiscal year 2023 of the Co-Management Working Group, a Joint Management Committee (JMC) was formed consisting of senior managers from the Authority, CMS and Maunakea Shared Services (MKSS) that meets bi-weekly to discuss and decide upon key strategic and operational matters that may, at times, result in the Authority staff recommendations to its Board for the current list of roles and responsibilities within the JMC. See Exhibit A.

Project Management System:

Act 255, SLH2022 describes specific responsibilities and general timelines for the Authority while being in a startup mode and operating within a limited transition period that terminates on June 30, 2028. Therefore, a comprehensive project management system is under development that can track the full range of responsibilities (statutory and non-statutory), coupled with all tasks and actions required and provide full transparency across the board. This pilot system is being developed and evaluated on the digital platform Trello.

Long Term Transition Working Group (LTTWG):

The review and vetting of the full complement of assets, liabilities, contracts, agreements, permits, etc. currently held by the University of Hawai'i is the responsibility of the LTTWG which is co-chaired by two (2) Authority board members: Benjamin Kudo and Paul Horner. The LTTWG meets monthly and consists of the senior management and legal counsels respectively from the Authority, CMS, UHS and DLNR. A Request For Proposal was issued for an outside legal team to conduct this process and the firm of McCorrison, Miller, Mukai and MacKinnon were selected.



III. IMPLEMENTATION OF ALL LEGISLATIVELY REQUIRED PLANS, INCLUDING FINANCIAL AND MANAGEMENT REPORTS, BUDGETS, EXPENDITURES, AND PLANS

The operational expenditure plan for the fiscal year 2025 is included in Exhibit B of this report. An appropriation and allotment reduction of \$10,000,000 from the Authority's fiscal year 2025 budget was transferred by the Executive Administration to the Major Disaster Fund.

The biennium budget for fiscal years 2026 – 2027 was submitted to the State Legislature for the upcoming legislative session beginning on January 15, 2025. The Authority is also working on determining additional resource needs during the 5-year transition period and will be requesting positions in addition to the current six (6) authorized positions in the approved organization structure.

CMS operates the activities and programs on Mauna Kea while the Authority continues to work with CMS on operational and management issues. CMS has over sixty (60) authorized positions that operate all year around with an annual budget of about \$9 million.

The following is the development of the Authority's plans to identify all requirements that must be completed during the transition period.

Card Name	Card Description	Labels	Members	Due Date
Transfer of all assets (permits, dispositions, land use approvals, etc.)	Via long-term transition working group Notwithstanding any law to the contrary, all powers 11 and duties of the board of land and natural resources pursuant 12 to chapter 171, and the land use commission pursuant to chapter 13 205, concerning permits, dispositions, land use approvals, and 14 any other approvals pertaining to the Mauna Kea lands are 15 transferred to the authority upon the expiration of the 16 transition period	On Track (blue)		2028-06-30T20:49:00.000Z
Conduct Integration Assessment (CMS to MKSOA)	Assess current-state of operations for CMS by procuring or creating documentation through interviews - systems and software - business process and policy Identify any risks/issues for the integration of CMS into MKSOA (e.g., RCUH vs State for employment and payroll)	On Track (blue)		2025-03-01T03:02:00.000Z
Develop Aspirational Statement	"to acknowledge and contextualize unresolved social justice issues that underpin the conservation, preservation, and public use of Mauna Kea."	Not Started (black_light)		2025-02-01T03:02:00.000Z

Card Name	Card Description	Labels	Members	Due Date
Develop Community Engagement Strategy	Engagement goes beyond just communications and we need to think about this more broadly	Not Started (black_light)		
Develop Communications Strategy	Communications Strategy should account for: <ul style="list-style-type: none"> - Goals (KPIs) - Audience (stakeholder identification) - Divergent community perspectives (not homogenous) - Native Hawai'ian worldview - Community engagement (e.g., events) - How to gather input from community - Social media strategy (engagement, misinformation, etc.) 	Not Started (black_light)		2025-03-04T03:02:00.000Z
Develop Roadmap	Workshop at HLF, then send out plan for review via email	On Track (blue)		2024-11-29T03:02:00.000Z
Implement PMO		Not Started (black_light)	christopherdaggett	2024-12-14T03:02:00.000Z
Interim Office Space		On Track (blue)		2025-02-12T21:43:00.000Z
Long-term Office Space		On Track (blue)		2025-01-31T02:30:00.000Z
Hale Pohaku Office Space		On Track (blue)		
Long-term Office Space: Construction		Not Started (black_light)		2028-07-01T03:02:00.000Z
Develop Framework for Leases	Prepare for and establish the framework, criteria, and procedures for any leases and permits (astronomy and commercial)	Not Started (black_light)		
Develop Framework for Permits	Prepare for and establish the framework, criteria, and procedures for any leases and permits (astronomy and commercial)	Not Started (black_light)		
RFP for Management Plan		On Track (blue)		2025-02-04T03:02:00.000Z
Develop Management Plan	The management plan shall: (1) Be developed during the transition period; (2) Be finalized, approved, and operational by the end of the transition period; (3) Be updated at least every ten years with a focus on long-term, comprehensive, and coordinated planning for all of the Mauna Kea lands; (4) Consider the State's energy and sustainability goals, as well as impacts to climate change, including adapting to climate change and developing mitigation measures to climate change; (5) Prepare for and establish the framework, criteria, and procedures for any leases and permits; (6) Incorporate indigenous management and	Not Started (black_light)		2028-07-01T03:02:00.000Z

Card Name	Card Description	Labels	Members	Due Date
	cultural processes and values; and (7) Include an aspirational statement to acknowledge and contextualize unresolved social justice issues that underpin the conservation, preservation, and public use of Mauna Kea.			
Develop Framework for Astronomy-related Development	The framework may include: (1) Limitations on the number of observatories and astronomy-related facilities, or an astronomy facility footprint limitation; (2) Prioritizing the reuse of footprints of observatories that are scheduled for decommissioning, or have been decommissioned, as sites for facilities or improvements over the use of undeveloped lands for such purposes; and (3) A set of principles for returning the lands used for astronomy research to their natural state whenever observatories are decommissioned or no longer have research or educational value.			
Develop Natural Resources Plan		On Track (blue)		
Develop Decommissioning Plan		Not Started (black_light)		
Determine how to incorporate indigenous management and cultural processes and values		Not Started (black_light)		
Determine how the State's energy and sustainability goals should be incorporated into the Management Plan	"Consider the State's energy and sustainability goals, as well as impacts to climate change, including adapting to climate change and developing mitigation measures to climate change"	Not Started (black_light)		
Develop Access Plan		Not Started (black_light)		2028-06-27T21:43:00.000Z
Develop Cultural Resources Plan		Not Started (black_light)		2028-06-27T21:43:00.000Z
Develop Education and Outreach Plan		Not Started (black_light)		2028-06-27T21:43:00.000Z
Establish Advisory Groups	Each advisory group should be involved in developing plan for their area	Not Started (black_light)		
Protect Budget		On Track (blue)		
Develop Financial Plan	"The authority shall adopt a financial plan that strives for the financial self-sustainability of the authority after the sixth year following the transitional period established in subsection"	Not Started (black_light)		
Implement Financial Management		Not Started (black_light)		2025-03-29T08:20:00.000Z
Audit 2030 (for transition prior to 2028)				

Card Name	Card Description	Labels	Members	Due Date
Recruit Communications Team	Communications team should be embedded in MKSOA Two skillsets that may be separate people/firms: social media and local knowledge/lived experience	Not Started (black_light)		2025-02-01T08:20:00.000Z
Legislative package 2025		On Track (blue)		2025-01-16T08:20:00.000Z
Site Visits for Legislature		Not Started (black_light)		
Interim Report 2024				
Annual Report 2025				
Study and recommend whether a reserve should be established	Study and recommend whether a reserve should be established	Not Started (black_light)		
Conduct an assessment on whether the UH school of astronomy should be relocated	Conduct an assessment on whether the University of Hawai'i school of astronomy should be relocated, in whole or in part, to the University of Hawai'i at Hilo; and **Include in its study and report any other information on issues relating to the management and protection of Mauna Kea it deems appropriate.**	Not Started (black_light)		
Report any other information on issues relating to the management and protection of Mauna Kea it deems appropriate	Include in its study and report any other information on issues relating to the management and protection of Mauna Kea it deems appropriate	Not Started (black_light)		
Determine administrative rules strategy for interim		Not Started (black_light)		2025-03-31T08:20:00.000Z
Develop/adopt administrative rules		Not Started (black_light)		2028-07-01T08:20:00.000Z
Develop structure for governance		Not Started (black_light)		2025-03-01T08:20:00.000Z
Board Training				

IV. HUMAN USES OF THE NATURAL AND CULTURAL RESOURCES OF MAUNA KEA AND THE IMPACTS OF THE HUMAN USES ON THESE RESOURCES

The following activities or operations are ongoing on Mauna Kea:

1. Eleven (11) observatories conducted astronomical research in the Mauna Kea Science Reserve in fiscal years 2023 - 2024, and into fiscal year 2025.
2. Two (2) observatories on the summit were recently decommissioned:
 - a. UH-Hilo's Hōkū Kea Telescope completed June 2024.
 - b. The Cal-Tech Submillimeter Telescope completed July 2024.

This represents the first formal decommissioning of Mauna Kea telescopes in over thirty (30) years.

3. The Onizuka Center for International Astronomy Visitor Information Station (VIS) at Hale Pōhaku:
 - a. Contains educational signage, exhibits sharing Mauna Kea's cultural and natural history and resources, astronomy, and administrative rule requirements. The exhibits are developed, and updated regularly, to provide awareness about Mauna Kea's cultural heritage, natural environment, astronomical inquiry, safety, and permitted activities.
 - b. Hosts and conducts both nightly and other focused star-gazing activities and opportunities, utilizing both staff and volunteers.
 - c. Offers hiking routes around the VIS and Hale Pōhaku, as well as adjacent public lands.
 - d. Operates the First Light Book Store and e-store, offering items for visitors to purchase such as books, apparel, drinkware, posters, maps, and other items.
 - e. Trained staff at the VIS, and adjacent Ranger shack, provide primary health, safety, weather, and natural and cultural resource information to those visiting the Hale Pōhaku area and the summit.
4. Recreational Activity and Permits (all figures for the fiscal year 2024)
 - a. Hiking and bicycling. Over 6,000 individuals hiked or biked on trails or roadways to the summit. These include the DLNR-managed Humu'ula Trail starting opposite the Hale Pōhaku Mid-Level Facility, and Summit Access Road.
 - b. Filming. In fiscal year 2024 there were twenty (20) film permit applications submitted; five (5) were subsequently withdrawn, and one was rejected. Permits were issued for the remaining fourteen (14).

c. Other Permits

- Two (2) Research applications were approved.
- One Special Use Permit application was denied (U.S. Air Force, communications testing).

5. Vehicle Activity

- a. In fiscal year 2024, 139,352 vehicles arrived at or beyond the VIS. This represents all vehicles, including observatory staff and support, management staff and support, commercial vehicles, and local and non-local visitors.
- b. Visitor traffic (local and non-local) accounted for over 28,600 of those vehicles that proceeded to the summit, carrying over 73,000 people.
- c. Ranger Safety Briefings. All visitors traveling to the summit are briefed and the VIS control point by on-duty Rangers of the road conditions, hazards, four-wheel vehicle operations, etc. Additionally, the Rangers conduct vehicle brake temperature safety inspections on all returning vehicles to ensure safe travel by all in-coming visitors off the mountain.
- d. Road Closures. Summit weather conditions sometimes dictate road closures for safety reasons. In fiscal year 2024, there were twenty (20) full days of road closures and eighty-three (83) partial road closure days.

6. The Hale Pōhaku Mid-Level Support Facility provides food and lodging for those who work, conduct research, or provide technical support to the research activities on the Mauna Kea summit, and the ongoing stewardship efforts across the Science Reserve and the Hale Pōhaku support and visitor complex.

7. Maunakea Weather Center provides for weather research and forecasting capabilities, in support of the observatories and public information.

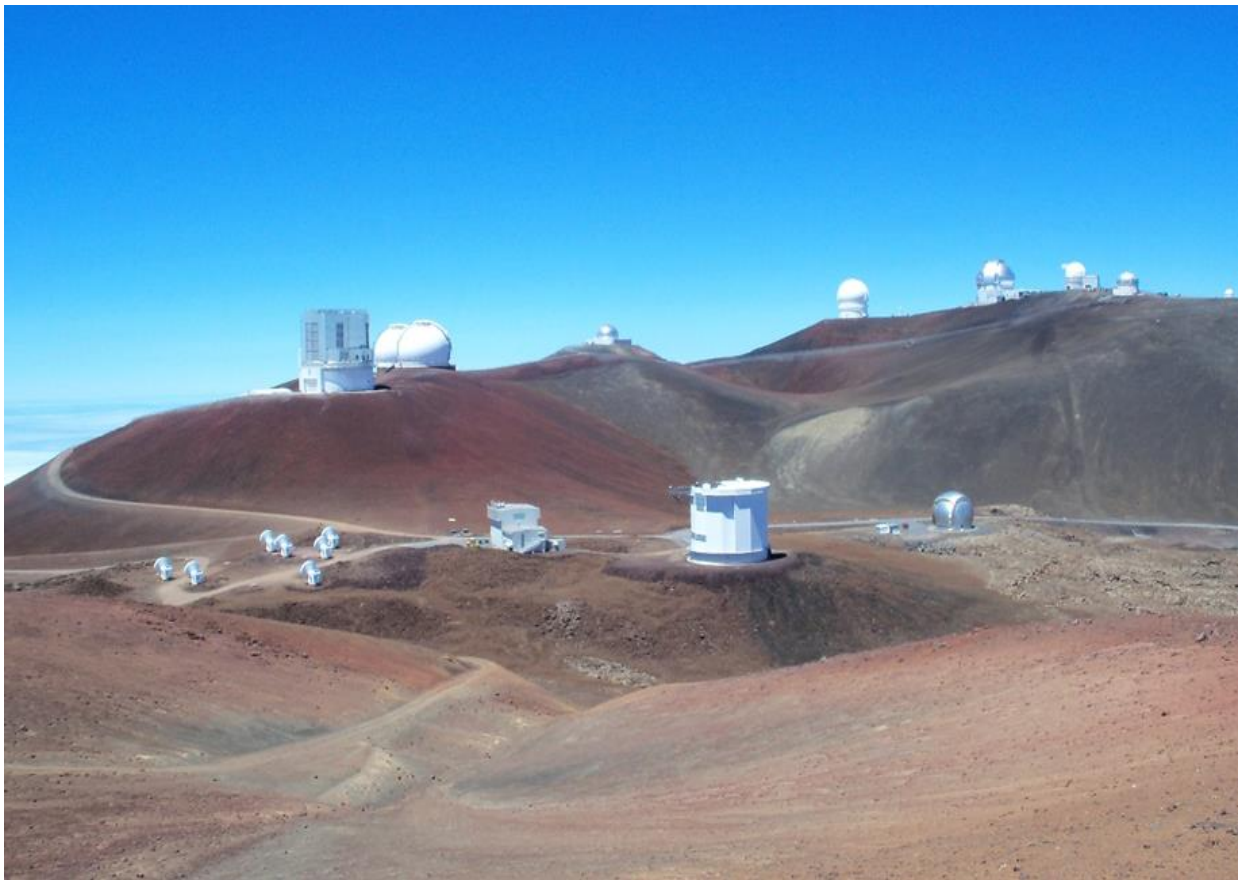
8. 'Āhinahina (Mauna Kea silversword) Propagation Program, and expansion of VIS out-planting effort with over two thousand (2,000) plant counts of five (5) different plant species.

The Authority has established a Permitted Interaction Group (PIG) that is currently meeting to develop the Authority's Management Plan that, among other things, minimizes and evaluates the impact of human uses on natural and cultural resources. The Authority issued a formal Request for Proposals (RFP) for a new Management Plan in October 2024 and is currently reviewing the results of that RFP.

The Authority and the UH Center for Maunakea Stewardship, through its recently established (August 2024) Joint Management Committee, have been monitoring all activities and issues on Mauna Kea, and issues and reports to the Authority identified by

the University of Hawai'i and Center for Maunakea Stewardship. Until the Authority completes its new Management Plan, they are reviewing the reports and issues jointly with the University of Hawai'i and Center for Maunakea Stewardship to identify opportunities for strengthening the Comprehensive Management Plan requirements and controls so as to form the development of the Authority's Management Plan, as well as their current Administrative Rules.

Under the Authority's current joint management relationship with the University of Hawai'i, and until the Authority has its plans, policies, and staff in place, the Center for Maunakea Stewardship (CMS) maintains responsibility for implementing the 103 management actions under their comprehensive management plan with the Authority. CMS provides periodic and timely updates to the Authority on the management actions taken (See Exhibit D for the latest report). In fulfilling their own reporting requirements to the Legislature, the University of Hawai'i has summarized the status of their stewardship activities for the fiscal year 2024 concerning the protection of the natural and cultural resources of Mauna Kea and various other matters.



V. COMMERCIAL USES OF THE NATURAL AND CULTURAL RESOURCES OF MAUNA KEA AND THE IMPACTS OF THE COMMERCIAL USES ON THESE RESOURCES

The following commercial use activities occurred on Mauna Kea in Fiscal Year 2024:

1. Commercial Tours

- a. There are currently nine (9) operator permits issued.
- b. These permitted operators conducted 3,112 tours, carrying 36,890 guests.

2. Commercial Film Permits

As previously reported, twenty (20) film permits were issued by CMS, representing a mix of commercial vs. non-commercial/educational purposes.

The University of Hawai'i Institute for Astronomy (IFA) plays a significant role in the success of the State of Hawai'i's astronomy program and economy. This includes educational opportunities, scientific research and findings, hundreds of millions of dollars or more in internal and external funding, economic benefits through spending from visitors, advanced technology development programs, and others.



VI. AN ASSESSMENT OF CUMULATIVE IMPACTS TO MAUNA KEA

While the University of Hawai'i's Center for Maunakea Stewardship has assessed the overall impact of residents and visitors, science, education, and others have placed on and impacted the Mauna Kea lands, the Authority plans to perform its own due diligence through the procurement of a consultant that can provide the expertise to independently report on the impacts, assess any damage, provide recommendations and solutions to overcome any impacts and prevent further harm to these sacred lands.

Under the Authority's current joint management relationship with the University of Hawai'i, and until the Authority has its plans, policies, and staff in place, the Center for Maunakea Stewardship (CMS) maintains responsibility for implementing the 103 management actions under their comprehensive management plan with the Authority. CMS provides periodic and timely updates to the Authority on the management actions taken. In fulfilling their own reporting requirements to the Legislature, the University of Hawai'i has summarized the status of their stewardship activities for the FY2023 concerning the protection of the natural and cultural resources of Mauna Kea and various other matters. The University of Hawai'i's 2024 report to the Legislature on their updates of actions to the management plan is included under Exhibit G.

Until the Authority hires the consultant, performs the study, and issues a report, the Authority will monitor the activities on Mauna Kea to ensure that requirements are met in accordance with the Comprehensive Management Plan 2022 Supplement that was approved by the University Board of Regents and the Board of Land and Natural Resources. This effort is ongoing.



VII. ALL COMMUNITY DIALOGUE, OUTREACH, ENGAGEMENT, AND CONSULTATION

As previously reported, important scientific discoveries were determined from the observations on Mauna Kea including the accelerating expansion of the Universe, a supermassive Black Hole in the Milky Way galaxy, another planetary system, detection of asteroids that could potentially put the Earth at risk, finding water in protoplanetary discs from other solar systems, and others. Community education and outreach focuses on the importance of cultural and historical sites on Mauna Kea. It also provides opportunities that encourage students to explore STEM related careers in conservation, resource management, astronomy, education, and ‘āina stewardship. Among other events, the Authority, in 2025, is also planning for in-community meetings on Hawai‘i island.

CMS developed a new and updated education and outreach program. The program has three (3) areas of focus: exploration, conservation, and community with a priority on developing collaborative partnerships with UH programs, the State of Hawai‘i Department of Education (DOE), charter schools, and Native Hawai‘ian and other community organizations. The emphasis of these education and outreach programs is to incorporate active engagement through direct participation. For fiscal year 2024, according to data from CMS, five hundred seventy-one (571) volunteers assisted with the community workday programs, where about 3,000 youths and young adults participated in these programs. CMS also updated educational exhibits at the Visitor Information Station. New displays feature and provide background on Maunakea’s unique and special cultural heritage, natural environment, astronomy, and the stewardship programs. Improved signage has also been installed to educate visitors about visiting respectfully and safely while informing them of the administrative rules and permitted activities.

VIII. THE UNIVERSITY OF HAWAI'I'S USE OF ITS RESERVED VIEWING OR OBSERVING TIME



According to the University of Hawai'i Institute for Astronomy (IfA), (See Exhibit B prepared by the IfA) "Astronomers worldwide are provided observing time, at no charge to researchers, through peer reviewed competitive proposal systems, which are synchronized to occur twice a year." Through its UH 88 telescope and agreements with non-UH Maunakea Observatories, the IfA receives the following allocations of observing time on the Maunakea Observatories:

1. UH 2.2-m Telescope (UH 88)	100%
2. Canada-France-Hawai'i Telescope (CFHT)	15%
3. NASA Infrared Telescope Facility (IRTF)	15%
4. United Kingdom Infrared Telescope (UKIRT)	15%

5. James Clerk Maxwell Telescope (JCMT)	12%
6. Subaru Observatory	15%
7. W.M. Keck I Observatory	10%
8. W.M. Keck II Observatory	15%
9. Gemini Observatory	10%
10. Submillimeter Array (SMA)	15%
11. Very Long Baseline Array (VLBA)	#

- operates as a global interferometer

IX. SUMMARY

Established on July 7, 2022, through the passage of Act 255, the Mauna Kea Stewardship and Oversight Authority is mandated to provide leadership in the protection of Mauna Kea for future generations and manage the lands for the purpose of fostering a mutual stewardship paradigm in which ecology, the environment, natural resources, cultural practices, education and science are in balance and synergy.

As such, the diversity of viewpoints, expertise and experience that is found on the Board of Directors of MKSOA is essential in charting a course forward while providing the framework within which the operating staff can implement the required planning measures and action steps.

Additionally, the sentiments and priorities being voiced by members of our island communities and stakeholders in general heightens the sense of urgency with which MKSOA's work must continue to accelerate. Building operating capacity and efficiency are priorities, as is the need to cultivate an environment of mutual trust and confidence, both internally and externally.

Increased significance remains on the working relationship between the Center for Maunakea Stewardship Mauna Kea Shared Services and MKSOA, where all parties maintain a shared respect for one another and the respective work responsibilities held by each entity.

However, it should be noted that MKSOA does not intend to accept the transfer of the Conservation District Use Permits (CDUPs) that are currently held by the University of Hawai'i on behalf of the sub-lessors. To do so, could compromise MKSOA's regulatory oversight (post-transition) of the sub-lessor. MKSOA will continue to collaborate with CMS and UH to find a resolution.

EXHIBIT A

**JOINT MANAGEMENT PROPOSAL
UNDER DISCUSSION**

Maunakea Executive Management Board (EMB)

- BOR Board Chair and additional BOR member, preferably from Hawaii Island
- MKSOA Chair and additional MKSOA member, preferably from Hawaii Island

Maunakea Joint Management Committee (JMC)

- CMS Executive Director and CMS Sr Staff
- MKSOA Executive Director and MKSOA Sr Staff
- By September 1, 2024, JMC develops a group charter that defines its purpose and operating rules
- JMC meets bi-weekly

JMC Focus

- CMS Master Plan Type B and C projects
- Strategic Issues, e.g., CTO permits, cultural artifacts, MKAR issues, UHH New Educational Telescope, etc.
- Operational Updates
- Budget
- Staffing
- Program enhancements
- Permit/lease/rules violations
- Preparation/coordination of annual reports
- Special events
- Other

Roles

- Each org operates within their respective legal authorities and obligations
- Decisions are made per each org's delegation of authority
- Disputes rise to the EMB
- Disputes not resolved at that level elevate to the BOR and MKSOA Board

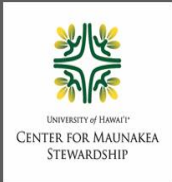


EXHIBIT B

REPORT # OBBEXP1		STATE OF HAWAII											
		OPERATIONAL EXPENDITURE PLAN											
FISCAL YR:	25	2024-25											
PROGRAM ID:	LNR 909	DEPARTMENT OF LAND AND NATURAL RESOURCES											
TABLE-ID:	A												
PROGRAM TITLE:	MAUNA KEA STEWARDSHIP AND OVERSIGHT AUTHORITY	DATE:											
C		CURRENT		NET	CURRENT	PLANNED EXPENDITURE PROGRAM				PLANNED			
R	T	APPROPRIATION	RESTRICTION	TRANSFERS	ALLOCATION					EXPENDITURE			
D	R	2024-25	2024-25	2024-25	2024-25	1ST QTR	2ND QTR	3RD QTR	4TH QTR	PROGRAM TOTAL			
1. PERSONAL SVCS (PAYROLL)		800,000	80,000		720,000	159,000	165,000	198,000	198,000	720,000	0		
2. ALL CB, OTHER SALARY ADJS					0					0	0		
3. FINANCING AGREEMENTS		0	0		0					0	0		
4. OTHER CURRENT EXPENSES		13,200,000	311,316	-10,000,000	2,888,684	50,000	800,000	2,000,000	38,684	2,888,684	0		
5. OTHER COST ITEMS - ALL					0					0	0		
6. EQUIPMENT		0	0		0					0	0		
7. MOTOR VEHICLE					0					0	0		
C		PROPRIATION			14,000,000	391,316	-10,000,000	3,608,684	209,000	965,000	2,198,000	236,684	3,608,684
R		T											
D		FUND YR A R MOF											
8.		G 25 109 A			0.00								
9.		G 25 109 A			14,000,000	391,316	-10,000,000	3,608,684	209,000	965,000	2,198,000	236,684	3,608,684
					0.00								
TOTAL APPROPRIATION					14,000,000	391,316	-10,000,000	3,608,684	209,000	965,000	2,198,000	236,684	3,608,684
Other Current Expenses:													
Travel and Per Diem								25,000	25,000	25,000	25,000		100,000
Office								25,000	25,000	25,000	13,684		88,684
Management Plan Consultant										1,950,000			1,950,000
Engineer/Architect Consulting									750,000				750,000
Total								50,000	800,000	2,000,000	38,684		2,888,684

EXHIBIT C

Summary Report on UH Institute for Astronomy
Maunakea Observing Time in 2024



December 2024

Doug Simons
Director, UH Institute for Astronomy

Photo: Bo Reipurth, IfA



Observing Time Allocations – 2024A and 2024B

Observing semesters run from February through July (“A” semester) and August through January (“B” semester). Observing time is awarded to IfA faculty, postdoctoral researchers and graduate students via peer reviewed proposals that are scored by IfA’s Time Allocation Committee (TAC). The TAC is composed of IfA faculty, postdocs and graduate students, with memberships rotating every 3 years. Each semester the TAC submits their evaluations of proposals, based upon scientific merit and technical feasibility, to the IfA Director for final review and execution. The TAC proposal evaluations lead to prioritized lists of observing programs that are awarded observing time, utilizing all of the time available for each Maunakea Observatory (MKO). UH Hilo astronomy researchers also receive observing time through this system.

With that procedure as background, listed in Appendix A are the titles of IfA observing programs executed on various Maunakea Observatories in 2024. These are provided to give visibility into the rich diversity of applications IfA makes from access to the MKOs. Some of these programs use more than one telescope, are recurring from one semester to the next as long-term programs, or involve other ground and space based astronomical research facilities. In other words, there are many inter-connections involving research, technology, and education associated with these program titles. It is also important to note that some programs require hundreds of nights to complete but only appear as a single title in the lists provided. Appendix B provides additional important background information about the State of Hawai’i’s astronomy program, including international context and fractions of time provided by each facility.

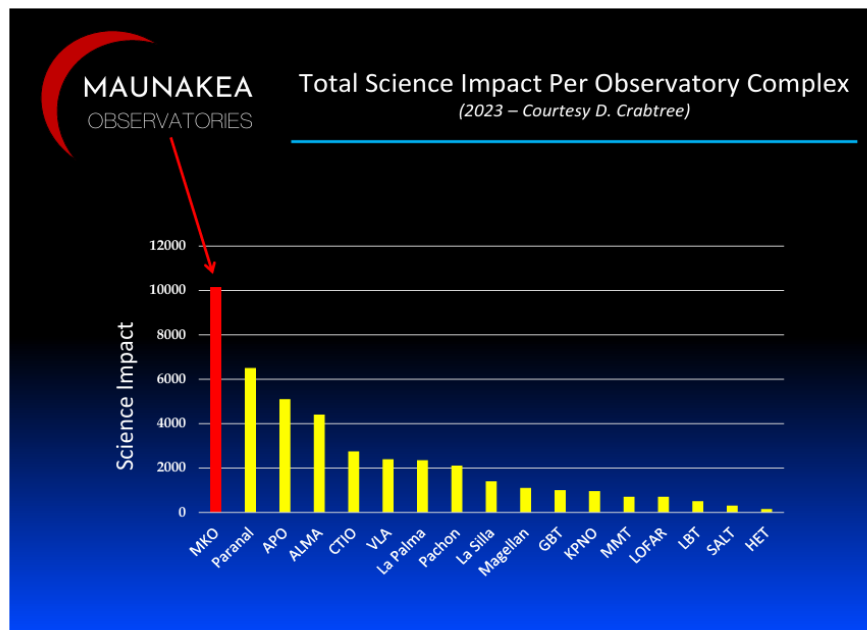


Figure 1 – The total science impact, which gauges the number and quality of research publications derived from various observatories, is a useful metric to compare the Maunakea Observatories to other co-located observatories worldwide. By this metric, the MKOs consistently rank #1 globally, an indication of how important these facilities are to the field of astronomy.

2024 Publications

IfA researchers have published 299 refereed journal articles in 2024, of which 143 used MKO data. Of these 143 articles, 43 listed one or more IfA graduate students as a co-author, or 30% of this year's papers. These publication statistics, sorted by facility use, are captured in the two pie charts below (ordered by overall use on the left and by student use on the right). The largest optical/infrared facilities remain in high demand in particular, though key research is being done on all facilities which are 100% subscribed by IfA faculty, post docs, and students.

Referring back to last year's report, for the period 2023-2024, IfA published 588 refereed journal articles altogether, of which 266 used data from one of the Maunakea Observatories. Of those 153 articles, 76 listed an IfA graduate student as a coauthor. Graduate students make exceptional use of the MKOs for their research – a resource that few university astronomy programs can offer students and making them particularly competitive post-graduation, as they forge their young careers. Graduate students at IfA serve as Principal Investigators for their observing proposals, and in that sense develop an end-to-end research experience during their graduate studies, from developing a concept for research, through submitting observing proposals, reducing their data, interpreting results, and having it published.

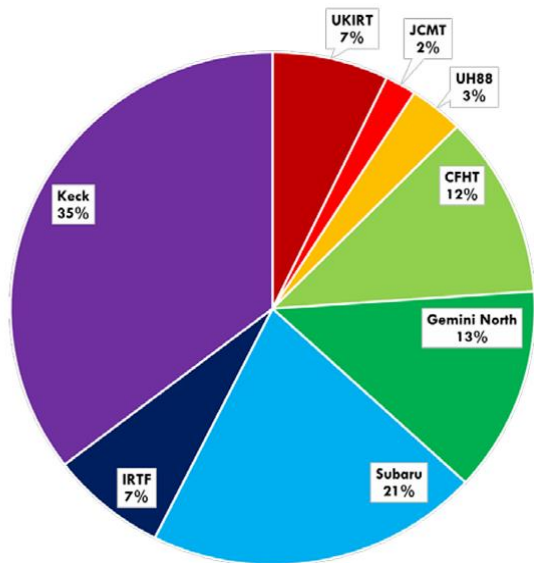


Figure 2 - MKO data sources for IfA-coauthored refereed articles in 2024.

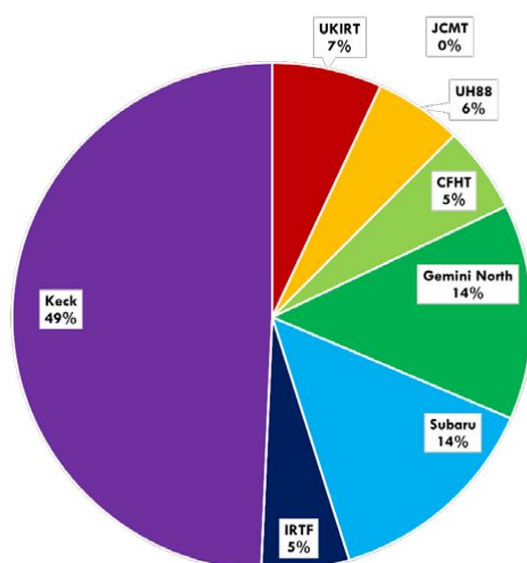


Figure 3 - MKO data sources for refereed articles with an IfA graduate student coauthor in 2024.

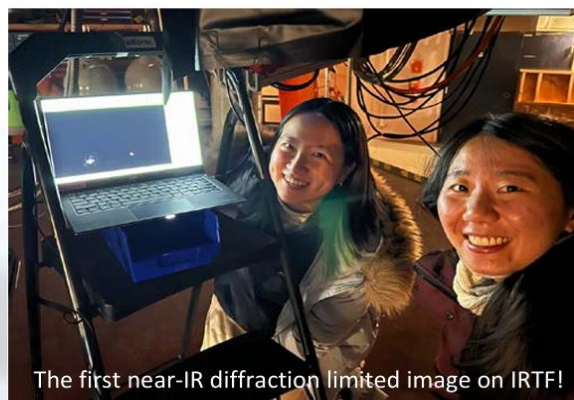
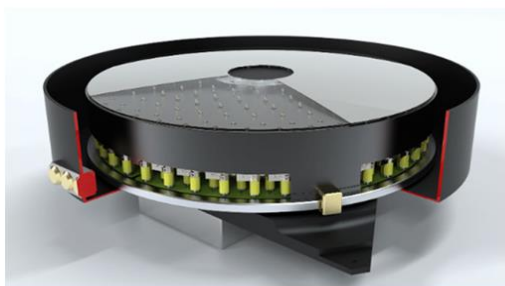
Key Education and Research Outcomes

The world class research conducted at IfA is manifest in many ways, like prestigious awards given to faculty, including this year to Dr. Ben Shappee, a recipient of the UH Regents Award for Research. Dr. Shappee specializes in time-domain astronomy and helped found the All-Sky Automated Survey for Supernovae. He was among the first astronomers to identify the optical counterpart to the gravitational wave event associated with a kilonova (merging neutron stars), and his program detected the most luminous supernova ever identified. He has nearly 300 publications and over 20,000 citations associated with his work.



Figure 4 – Dr. Ben Shappee, third from the left, received the 2024 UH Regents award for Research.

Technology development is also critical to IfA's mission, with some of the most advanced electro-optics on Maunakea now being deployed at the UH 88" telescope. Combined with a recent \$5M refurbishment, that new technology includes a new laser adaptive optic system, and a new control system that will make the UH 88" the first robotic (fully autonomous) observatory on Maunakea. In 2025 a new adaptive secondary mirror (ASM) will also be deployed on the UH 88", after the first of these mirrors was successfully commissioned on the NASA Infrared Telescope Facility (IRTF) in 2024. These new ASMs are significantly lower mass, lower cost, and operate with higher efficiency than any other ASM built to date. The result of a collaboration with other universities and an industrial partner, the IfA's ASM project provides phenomenal educational opportunities for graduate students interested in pursuing instrumentation careers in astronomy – a unique strength of IfA's program.



The first near-IR diffraction limited image on IRTF!

Figure 5 - The first adaptive secondary mirror ever deployed on Maunakea was developed by a team lead by Dr. Mark Chun at IfA. Funded by NSF, this revolutionary technology will help observatories achieve "built in" adaptive optics to correct for atmospheric distortion. Seen above are two IfA graduate students involved in this program.

The reach of IfA's education program goes well beyond the confines of UH's campuses, thanks to extensive efforts on nearly all islands by IfA's staff, students, and faculty. Some of the IfA's signature programs include Astro Day in Hilo and Kona, held twice annually. These large events, conducted at shopping malls, attract thousands of people across Hawai'i Island and include booths and exhibits from dozens of STEM organizations that IfA partners with. On Maui IfA's Hi Star program engages high school students year round, with an emphasis on research each summer through an intensive camp in which students expand their skills in data analysis and scientific methods, often going on to use what they've learned in local science fairs. At Mānoa IfA's annual open house program is a big hit with kids of all ages, who are treated to everything from craft booths, to rocket experiments and demonstrations of cryogenics. Maunakea Scholars continues at a good pace, including schools on the smaller neighbor islands (Lāna'i and Moloka'i) which have historically not received as much benefit from Hawai'i astronomy compared to other islands. Over 1200 students have participated in this program since its inception in 2015 and it remains the only program of its kind in the world, connecting high school students to Hawai'i's only billion dollar research complexes on Maunakea and Haleakalā.



Figure 6 – Top left – IfA faculty and students supporting Astro Day at the Hilo Prince Kuhio Mall. Top right – Faculty and students supporting Rocketry day in downtown Hilo. Bottom left – A cryogenics demonstration captivates adults and children during the IfA Mānoa Open House event held each spring. Bottom right – Maunakea Scholars awards ceremony at Waipahu High School.

Summary

Observing time on the MKOs is fundamental to the success of the State of Hawai'i's astronomy program. From that key resource stems educational opportunities, scientific prestige and leadership for Hawai'i, hundreds of millions of dollars in extramural funding, advanced technology development programs, broad economic benefit and diversification for our communities, and much more. The IfA's program helps leverage that resource for multilateral benefits, consistent with the mission of the University of Hawai'i, and the vision of those who inspired Maunakea astronomy decades ago.

Appendix A

IfA Observing Programs Selected for Execution - Semester 2024A

CFHT

- Rapid follow-up of kilonovae during LIGO/Virgo/KAGRA 4th obs run and other transients
- Rapid follow-up of important solar system discoveries from Pan-STARRS
- Hawaii+Euclid: the foremost extragalactic deep field in the northern hemisphere
- Observations of Near-Earth objects
- Long period comets and the comet interceptor mission
- Extending dynamical masses to the planetary-mass regime

Gemini

- 3I - Characterizing the 3rd interstellar object
- Rapid follow-up of kilonovae during LIGO/Virgo/KAGRA 4th obs run and other transients
- Long period comets and the comet interceptor mission
- The NIR lifetimes of SNe Ia viewed through spectroscopy
- Mind the gap: bridging the radius valley with keystone planets from TESS
- Composition of rocky planets around thick-disk stars
- A more complete picture: NIR observations of SNe Ia for physics and cosmology
- Rotation of comet 22P/Kopff

JCMT

- Sub-mm follow-up of a newly discovered kilonova
- Direct measurements of envelope evolution in protostars
- Developing a sample of faint submm sources and determining their properties
- Lynds 914: a new star-forming filament in Cygnus
- Structure and kinematics of the Bok globule B62

Keck 1

- Spectroscopic observations of exciting ASAS-SN, ATLAS, PS, LIGO transients & novel small bodies
- The metallicity and distance of M 101 from blue supergiants
- The architecture and orbital dynamics of transiting S-type planets in close binaries
- Revealing dynamical architectures of transiting brown dwarfs
- The first asteroseismic survey of nearby K dwarfs
- High-precision test of substellar cooling with asteroseismology
- The fate of planets orbiting evolved stars
- Transmission and emission spectroscopy of ultra-hot Jupiters with KPF
- NIR spectroscopy of high-z protoclusters in Euclid Deep Field North
- Exploring the radius inflation anomaly in transiting brown dwarfs

Keck 2

- Pinning down the Hubble constant with an eclipsing binary distance to Andromeda
- Spectroscopic observations of exciting ASAS-SN, ATLAS, PS, LIGO transients & novel small bodies
- 3-D morphology of exoplanet mass loss revealed by Keck/NIRSPEC
- Spectroscopic redshifts of strongly lensed galaxies
- Exploring the local environments of 2002es-like SNe Ia
- Deciphering stellar feedback and gas accretion in low-mass starbursts
- Extending dynamical masses to the planetary-mass regime
- Ly-alpha morphologies of z=6.6 ultraluminous Ly-alpha emitters
- Infrared AO survey for the nearest protoplanetary systems
- Mind the gap: bridging the radius valley with keystone planets from TESS
- Resolving protoplanetary disk kinematics to interpret JWST spectra
- The architecture and orbital dynamics of transiting S-type planets in close binaries
- Feeding time: high S/N optical spectroscopic follow-up of tidal disruption events and ANTs

SMA

- Sub-mm follow-up of a newly discovered kilonova
- Search for small sulfuretted species in 5 chemically rich class 0 protostars in Perseus

Subaru

- Imaging disks around embedded protostars with SCExAO
- High-resolution polarimetric imaging of debris disks
- Setting the fundamental mass and radius scale of oscillating red giants
- The architecture and orbital dynamics of transiting S-type planets in close binaries
- Deep visible polarimetric imaging of planet-forming regions with VAMPIRES
- Ophiuchus disk survey
- Dipper stars: birth cry of planets or death-rattle of comets?
- WHIGS as part of the UNIONS survey
- Hawaii+Euclid: the foremost extragalactic deep field in the northern hemisphere
- Metallicity distributions of ultra-faint dwarf galaxies using HSC Ca II H&K NB imaging
- HSC search for near Earth objects at small solar elongation
- Extreme trans-Neptunian objects

UH 88"

- Spectroscopic observations of exciting ASAS-SN, ATLAS, PS, LIGO transients & novel small bodies
- Filling the gap: follow-up observations of Pan-STARRS NEO candidates
- Observations of Near-Earth objects
- Optical-IR spectroscopic extinction curves in the diffuse interstellar medium

UKIRT

- A more complete picture: NIR observations of SNe Ia for physics and cosmology

IfA Observing Programs Selected for Execution - Semester 2024B

CFHT

- Rapid follow-up of kilonovae during LIGO/Virgo/KAGRA 4th obs run and other transients
- Rapid follow-up of important solar system discoveries from Pan-STARRS
- Hawaii+Euclid: extragalactic deep fields in the northern & southern hemispheres
- Spectropolarimetric signal for stellar activity: spot, flare and CME
- Characterizing the rotation and activity for comet 88P/Howell
- Observations of Near-Earth objects
- Extending dynamical masses to the planetary-mass regime
- Searching for high-z AGNs in the deepest hard X-ray image
- Mass, orbit and atmosphere of the youngest known transiting planet
- Mass, orbit and atmosphere of the youngest known transiting planet

Gemini

- 3I - Characterizing the 3rd interstellar object
- Rapid follow-up of kilonovae during LIGO/Virgo/KAGRA 4th obs run and other transients
- Spectrosc obs of exciting ASAS-SN, ATLAS, PS, LIGO transients & novel small bodies
- Characterizing the rotation and activity for comet 88P/Howell
- Type Ia supernovae: breaking out of redshift jail with JWST
- Precise masses and compositions of extreme Earths
- Modeling long-period comet sizes to probe the history of the Solar System
- Mind the gap: bridging the radius valley with keystone planets from TESS
- Spectroscopic follow-up of directly imaged substellar companions
- The NIR lifetimes of type Ia supernovae viewed through spectroscopy

JCMT

- JWST, SCUBA-2, and the global star formation history
- Sub-mm follow-up of a newly discovered kilonova

Keck 1

- Spectrosc obs of exciting ASAS-SN, ATLAS, PS, LIGO transients & novel small bodies
- JWST, SCUBA-2, and the global star formation history
- Hot jupiter companions in evolved systems
- Architecture and orbital dynamics of transiting S-type planets in close binaries
- Architecture and orbital dynamics of transiting S-type planets in close binaries
- Architecture and orbital dynamics of transiting S-type planets in close binaries
- Testing spin-orbit realignment with planets orbiting subgiants
- Asteroseismology of nearby Sun-like stars with Keck planet finder
- Transmission and emission spectroscopy of ultra-hot Jupiters with KPF
- Taking the dynamical temperature of planetary systems

- Revealing dynamical architectures of brown dwarfs transiting subgiant stars
- Confirming the earliest galaxies and galaxy clusters with H2O and Euclid
- Spectroscopic census of dusty starbursts in PRIMER (preallocated to Hilo)

Keck 2

- Spectroscopic redshifts of strongly lensed galaxies
- Spectrosc obs of exciting ASAS-SN, ATLAS, PS, LIGO transients & novel small bodies
- Mapping the interplay of atomic gas, metallicity and stellar feedback
- Feeding time: high S/N optical spectroscopic follow-up of tidal disruption events and ANTs
- Architecture and orbital dynamics of transiting S-type planets in close binaries
- Probing the origins of Ca-rich transients through their host-galaxy properties
- Search for an accreting protoplanet in the HD34700 inner cavity
- Resolving protoplanetary disk kinematics to interpret JWST spectra
- Extending dynamical masses to the planetary-mass regime
- 3-D morphology of exoplanet mass loss revealed by Keck/NIRSPEC
- Pinning down the Hubble constant with an eclipsing binary distance to Andromeda
- Ly-alpha morphologies of z=6.6 ultraluminous Ly-alpha emitters
- Spectroastrometry of disks around Herbig stars
- Infrared AO survey for the nearest protoplanetary systems

SMA

- Sub-mm follow-up of a newly discovered kilonova
- Search for small sulfuretted species in 6 chemically-rich massive young stellar objects
- A millimeter survey of disks around Herbig stars

Subaru

- Imaging disks around embedded protostars with SCExAO
- Deep visible polarimetric imaging of planet-forming regions with VAMPIRES
- Uncovering the mystery of missing galaxies in massive high-z protoclusters
- Setting the fundamental mass and radius scale of oscillating red giants
- Search for an accreting protoplanet in the HD34700 inner cavity
- Spectroscopic follow-up of directly imaged substellar companions
- Further exploration of Dracula's Chivito
- WHIGS as part of the UNIONS survey
- Searching for high-z AGNs in the deepest hard X-ray image
- Extreme trans-Neptunian objects
- HSC search for near-Earth objects at small solar elongation
- Hawaii+Euclid: extragalactic deep fields in the northern & southern hemispheres

UH 88''

- Spectrosc obs of exciting ASAS-SN, ATLAS, PS, LIGO transients & novel small bodies
- Optical-IR spectroscopic extinction curves
- Long eclipse events in YSOs
- Filling the gap: follow-up observations of Pan-STARRS NEO candidates
- Observations of Near-Earth objects

UKIRT

- Long eclipse events in YSOs
- NIR observations of type Ia supernovae for physics and cosmology

Appendix B

Background

A number of major astronomical observatory complexes have been established at sites around the world. In exchange for site access to build and operate observatories, often the governing entities for those sites receive observing time as a form of compensation for land access. Examples of this include the governments of Chile, Spain, and Hawai'i, all of which receive observing time on observatories they host, through their respective university systems. This allows each of these governments to support robust astronomy research and education programs at vastly reduced cost compared to building and operating entire observatory complexes themselves. In the case of the Maunakea Observatories (MKOs), the replacement cost for the existing observatories exceeds \$1B. The vast majority of the construction and operating costs for the MKOs is provided by Federal research sponsors, including NASA, National Science Foundation, National Research Council (Canada), Centre national de la recherche scientifique (CNRS, France), the National Astronomical Observatory of Japan, etc. Astronomers worldwide are provided observing time, at no charge to researchers, through peer reviewed competitive proposal systems, that are synchronized to occur twice a year. In the US this Federal funding for astronomy research is akin to Federal sponsorship of research in medicine/health (NIH), chemistry, geology, mathematics, etc. After a proprietary period most of the data sourced by the MKOs is stored in public archives. This helps maximize the scientific product of and public access to this valuable resource.

The Hawai'i State astronomy program emerged in 1964 when Governor Burns advanced a vision for Hawai'i predicated on Hawai'i's unique natural resources, among them the pristine, clear and calm air above Maunakea. It was also motivated by the Hawai'i Island community's desire to rebuild and diversify their economy after the 1960 earthquake in Chile left Hilo in ruins through a devastating tsunami. That confluence of events, among other factors, led to Maunakea astronomy today being world leading in its total scientific impact – a metric that gauges the number and quality of peer reviewed research publications. The Hawai'i State government identified the University of Hawai'i as the host for the State's astronomy program, which in turn led to the formation of the UH Institute for Astronomy (IfA) roughly 50 years ago. Today IfA has 35 faculty (26 are MKO users, the rest study solar, theory, etc.), 43 graduate students (32 are MKO users), and 17 postdocs (about a dozen are MKO users). Hawai'i is now recognized internationally as a premier location to conduct astronomical research. The MKOs are an economic aggregator for international funds used to sponsor their operations. They employ ~600 people in what is likely the largest assemblage of STEM jobs on Hawai'i Island.

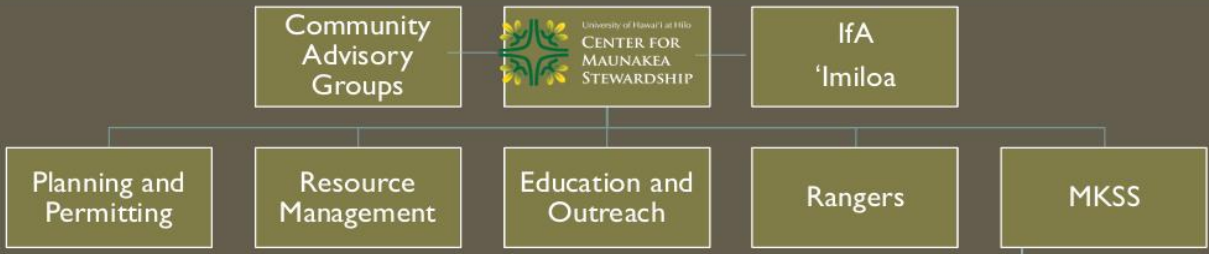
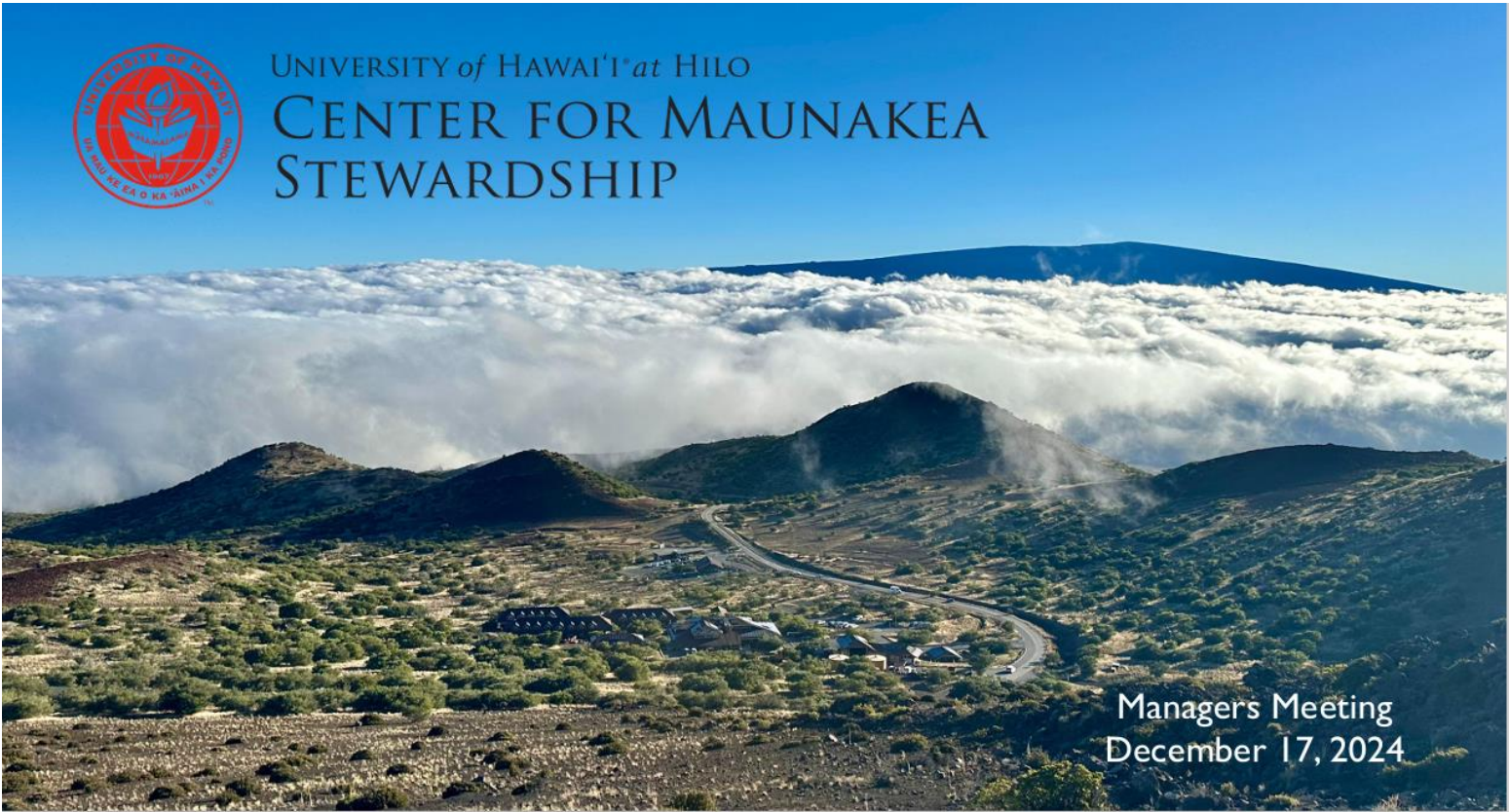
Through its UH 88" telescope and agreements with non-UH MKOs, the IfA receives the following allocations of observing time on the MKOs -

UH 88"	100%
CFHT	15%
IRTF	15%
UKIRT	15%
JCMT	12%
Subaru	15%
Keck 1	10%
Keck 2	15%

Gemini	10%
SMA	15%

Not included on this list are CSO and Hoku Kea (both decommissioned) and VLBA, which operates only as a global interferometer, not standalone on Maunakea for UH access.

EXHIBIT D

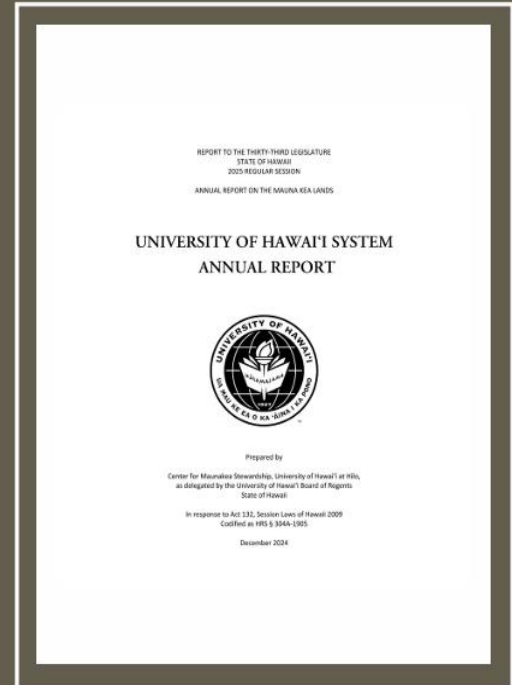


CMS MISSION

“Sustainably steward Maunakea for the benefit of our communities, Hawai‘i, and the world, as a publicly-accessible learning landscape where all who visit learn, and those who seek something more discover through rich multi-cultural experiences and engaging multi-disciplinary discourse. Provide equal opportunities across the schools of the UH system and community partners to engage with the mauna in ways that perpetuate and advance knowledge, wisdom, and values while fostering mutual understanding and respect.”

- 50-55 Employees at any given time
- 24/7/365 Operation
- ≈11,400 acres
- 9 Subleases + 20 CDUPs + OSDA’s + MP + CMP + Admin Rules
- Annual Budget:
 - ✓ Stewardship ≈\$3M (TFSF + RTRF + Special Funds)
 - ✓ MKSS ≈\$5.5M (User fees ⇨ Cost + Admin)

ANNUAL REPORT TO THE LEGISLATURE
 PURSUANT TO HAWAII REVISIED STATUTES (HRS) § 304A-1905, "MAUNA KEA LANDS; REPORTING REQUIREMENTS"



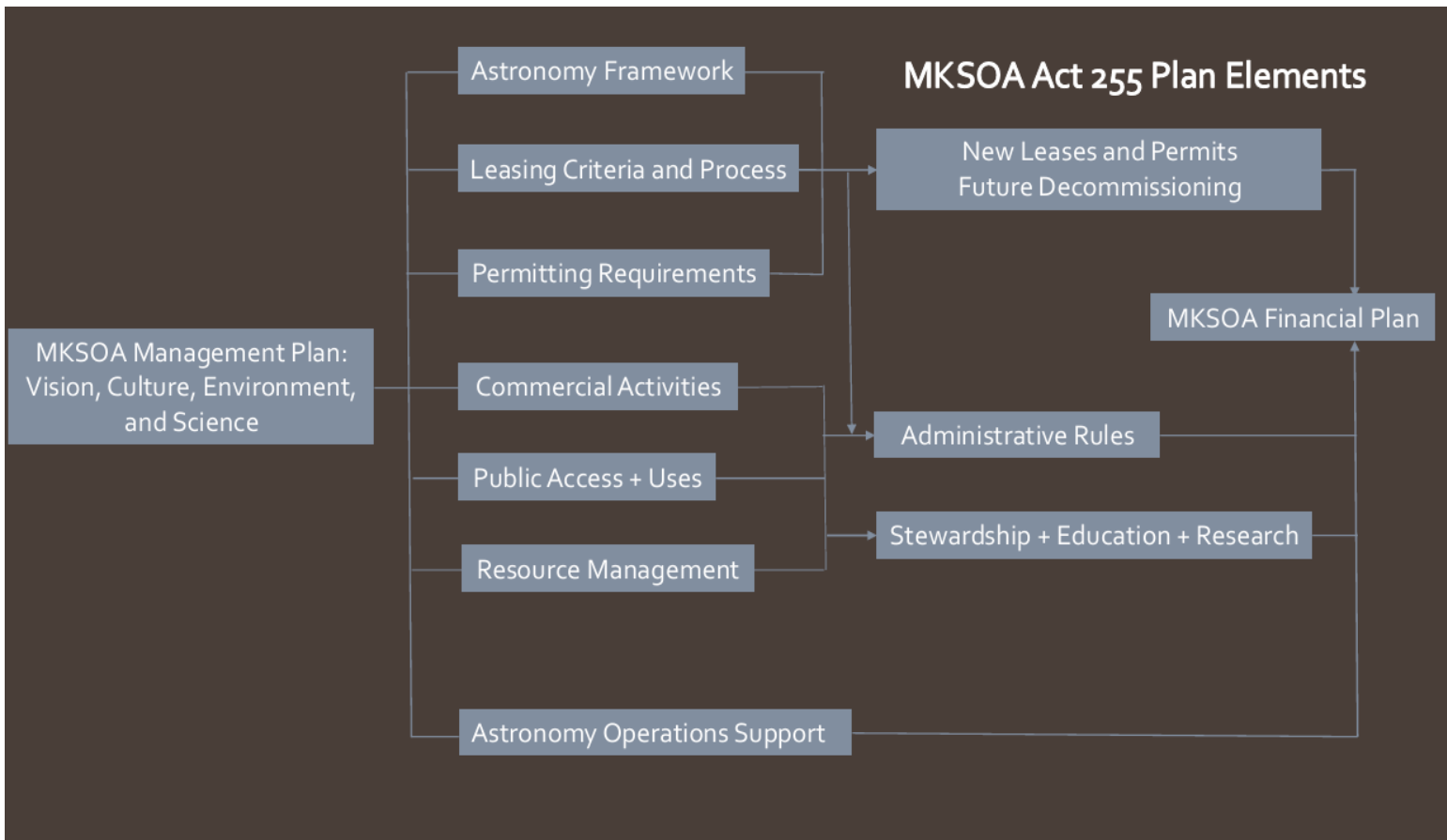
- ❖ Maunakea lands activities
- ❖ Current and pending lease agreements and fees
- ❖ Status of current and pending administrative rules
- ❖ Income and expenditures of the Mauna Kea lands management special fund established in HRS § 304A-2170
- ❖ Other issues that may impact the activities on the Mauna Kea lands
- ❖ Consistent with past practice, this report covers the fiscal year 2024 (FY24), which started on July 1, 2023, and ended on June 30, 2024, but may also include matters and data outside FY24 where relevant

MAUNAKEA MANAGEMENT



- Key Considerations:
- Culturally sensitive lands
 - Diverse public uses
 - Conservation district requirements
 - Astronomy as State policy
 - Act 255 requirements





REAL PROPERTY AGREEMENTS

- General Lease No. S-5529 (Hale Pōhaku Mid-Level Facilities). Approximately 19.261 acres. Entered into on September 21, 1999, and expires on February 27, 2041.
 - General Lease No. S-4191 (Mauna Kea Scientific Reserve). Approximately 13,321.054 acres. Entered into on June 21, 1968, and expires on December 31, 2033. Amended by the Partial Withdrawal of approximately 2,033.2 acres for the Mauna Kea Ice Age Natural Area Reserve on March 23, 1998.
 - Grant of Easement No. 4697 (Roadway easement from Hale Pōhaku Mid- Level Facilities to the Summit of Mauna Kea). Approximately 70.798 acres. Entered into on September 8, 1981, and expires on December 31, 2033.
- Subleases:
- Canada-France-Hawai'i Telescope ("CFHT"), 1975-Dec-18, Canada-France-Hawai'i Telescope Corporation
 - Caltech Submillimeter Observatory ("CSO"), 1983-Dec-20, California Institute of Technology Corporation
 - Gemini North ("Gemini"), 1994-Sep-26, National Science Foundation
 - Subaru Telescope ("Subaru"), 1992-Jun-05, National Astronomical Observatory of Japan
 - Smithsonian Submillimeter Array ("SMA"), 1995-May-15, Smithsonian Astrophysical Observatory
 - Thirty Meter Telescope ("TMT"), 2014-Jul-28, TMT International Observatory LLC
 - NASA Infrared Telescope Facility ("IRTF"), 1974-Nov-29, National Aeronautics and Space Administration
 - Very Long Base Array ("VLBA"), 1990-Sep-28, Associated Universities, Inc.
 - W. M. Keck Observatory ("Keck"), 1985-Oct-30, California Institute of Technology Corporation

UH MANAGEMENT AREAS

Granted from BLNR to UH

Hale Pōhaku Mid-Level Facilities

General Lease S-5529 (Feb. 27, 2041)

Approximately 19.261 acres

Maunakea Science Reserve (MKSR)*

General Lease S-4191 (Dec. 31, 2033)

Approximately 11,287.854 acres

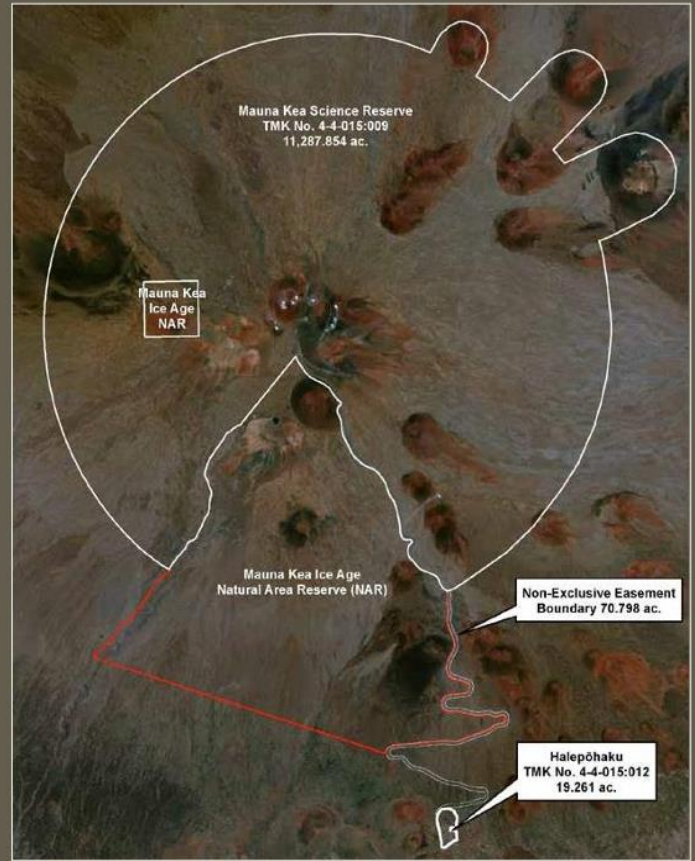
Roadway Easement

Hale Pōhaku to MKSR

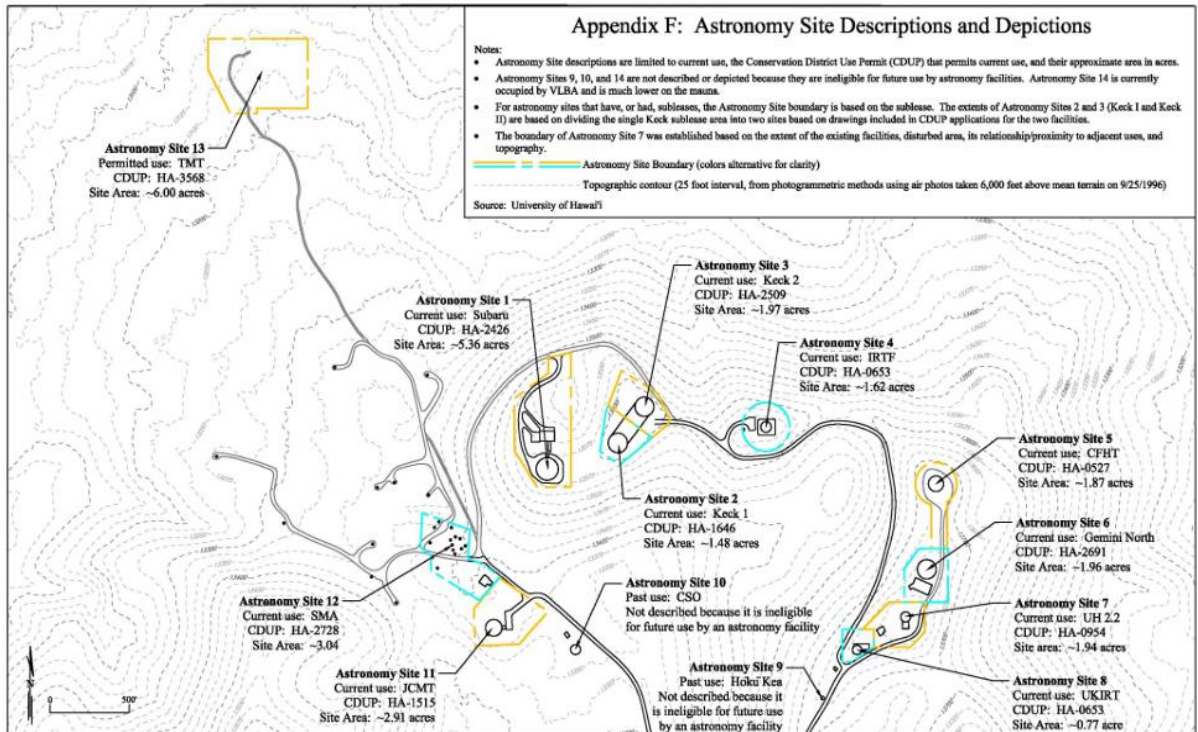
Grant of Easement S-4697 (Dec 31, 2033)

Approximately 70.798 acres

* Amended in 1998 to remove MK Ice Age; Astronomy facility subleases were granted by UH to MKOs under GLS-5529 (with consent from BLNR).



Subleases



LAND USE ENTITLEMENTS CDUPS+

CDUPs related to Improvements Owned by Private Entities (“MKO CDUPs”):

- CFHT, 1974-May-24, CDUP 0527
- CSO, 1982-Nov-17, CDUP 14923
- Gemini, 1994-Apr-12, CDUP 2691
- Subaru, 1991-Sep-27, CDUP 2462
- SMA, 1994-Nov-18, CDUP 2728
- TMT, 2017-Sep-28, CDUP 3568
- IRTF, 1975-Aug-29, CDUP 06534
- VLBA, 1989-Jan-13, CDUP 2174
- Keck I (includes temporary use of concrete batch plant and expansion of Hale Pōhaku), 1984-Aug-24, CDUP 1646
- Keck II, 1992-Apr-10, CDUP 2509

CDUPs related to Mauna Kea Access Road and

Improvements Owned by the University (“UH CDUPs”):

- Hōkū Ke‘a Observatory Decommissioning Project, 2023-April-14, HA-39065
- Air Force Telescope, Planetary Patrol Telescope, 2.2-Meter Telescope (“UH 88”), 1977-Sep-9, CDUP 09546
- JCMT, 1983-Feb-25, CDUP 1515
- UKIRT, 1975-Aug-29, CDUP 06537
- UKIRT dormitory at Hale Pōhaku, 1976-May-14, CDUP 0781
- Hale Pōhaku Mid-Level Facilities and Visitor Center (“Mid-Level Facilities”), 1982-Apr-23, CDUP 1430
- Hale Pōhaku dormitories, 1977-May-13, CDUP 0895
- Hale Pōhaku subdivision and construction workers camp, 1986- Feb-14, CDUP 1819
- Infrastructure Improvements to Maunakea Visitor Center, 2018- Jun-8, CDUP 3812
- Mauna Kea Access Road, 1974-Jun-14, CDUP 0537

SCIENTIFIC COOPERATIVE AGREEMENTS/ OPERATING AND SITE DEVELOPMENT AGREEMENTS

- Details various terms and conditions between UH and each MKO
- Contains both common elements across agreements as well as conditions specific to the relationship between UH and the particular MKO.
- This is where UH observing time allocations are documented.
- Requires unbundling of what are unique UH-relevant conditions versus what MKSOA would assume based on their legislated authorities.

Examples:

- Contributions to building of the mid-level facilities at Hale Pōhaku (Multiple)
- Contributions to building of MK infrastructure (Multiple)
- *MKSOA* "shall make every effort to ensure renewal, extension, or renegotiation of said General Lease." (Gemini)
- *MKSOA* "shall use its best efforts to secure Lessor's consent and to provide its own approval or objection within SIXTY (60) days after receipt by Sublessor of any request for approval for such structural alteration or addition." (Gemini)

UH ASSETS

In addition to the above, the University also holds over 20 permits and approvals issued under Hawai'i Administrative Rules ("HAR") Chapter 13-5 for uses within the conservation district. Many of the conditions of approval imposed under these permits and approvals are ongoing commitments under the 2009 Mauna Kea Comprehensive Management Plan ("CMP"), updated by the "Comprehensive Management Plan 2022 Supplement," approved by BLNR on July 22, 2022 ("CMP Update").

Improvements Owned by the University ("UH Assets"):

- UH 88, 2.2-meter (88-inch) telescope
- JCMT, 15-meter telescope
- UKIRT, 3.8-meter telescope
- Mid-Level Facilities (Hale Pōhaku)
- University-owned conduit and fiber optic network ("UH Network")

OTHER

- Staffing/Positions
- Accounts (e.g., Maunakea Management Special Fund, Summit Utilities Decommissioning Fund, RCUH accounts, etc.)
- Inventory of Physical Assets
- Operations permits
- Files and Records

TRANSFERS ASSUME THESE ARE IN PLACE

- MKSOA Management Plan to fulfill CDUP requirements
- MKSOA Administrative Rules to manage public access, commercial activities, and other activities that MKSOA has jurisdiction for
- Organizational capacity to assume operations
- Regarding future real property agreements with UH, MKOs, and others: clarification on how does MKSOA hold land “title” for current UH-managed lands?

Item III.B.

Update on Recent Federal
Presidential Executive Orders

NO MATERIALS

Item III.C.

Executive Session

**ITEM TO BE
DISCUSSED IN
EXECUTIVE
SESSION**



UNIVERSITY
of HAWAII®
SYSTEM

January 31, 2025

DTS-2556

MEMORANDUM

TO: Board of Regents
University of Hawai'i

FROM: Gabe Lee, Chair
Board of Regents

SUBJECT: Discussion and Possible Board Action Regarding Board of Regents Legislative Advocacy per Office of Information Practices Quick Review: Sunshine Law Options to Address State Legislative Issues and Measures

PURPOSE

The intent of Agenda Item III.D on the Board's February 6, 2026, special meeting agenda is to discuss statutory open meeting and notification requirements that impact the Board's ability to quickly respond to matters before the Legislature involving the Board or university governance.

BACKGROUND

One of the major impediments for the Board to address legislative matters in a timely fashion is Hawai'i's Sunshine Law which, among other things, includes a six-day meeting notice requirement prior to conducting a meeting to discuss a legislative measure. Since the Board generally meets once a month, there are limited options to timely notice a meeting for the purposes of discussing the adoption of legislative testimony or the Board's position on an issue prior to a legislative hearing on the matter. Further details on this issue can be found in the Office of Information Practices' (OIP) publications, *QUICK REVIEW: Sunshine Law Options to Address State Legislative Issues and Measures (Revised August 2022)* and *Open Meetings Guide to "The Sunshine Law" for State and County Boards* (specifically pp. 29-30).

Under limited circumstances as set forth in [Section 92-2.5, Hawai'i Revised Statutes \(HRS\)](#), Hawai'i's Sunshine Law does afford board members with an opportunity to discuss board business outside a meeting. Some of the permitted interactions that might be useful to the Board as it relates to the submittal of legislative testimony are noted below.

2444 Dole Street, Bachman Hall 209
Honolulu, Hawai'i 96822
Telephone: (808) 956-8213
Fax: (808) 956-5156

Memorandum to Board of Regents

January 31, 2025

Page 2 of 2

POSSIBLE COURSES OF ACTION

OIP has opined that permitted interactions that are most useful in developing or adopting positions on legislative measures are as follows:

- (1) Allowing two members of a board to discuss board business between themselves so long as no commitment to vote is made or sought and the two members do not constitute a quorum of their board (Section 92-2.5(a), HRS);
- (2) Allowing a board to assign less than a quorum of its membership to present, discuss, or negotiate any board position that the board had previously adopted at a meeting (Section 92-2.5(b)(2), HRS);
- (3) Allowing less than a quorum of board members to attend a legislative hearing (or other “informational meeting”) and report their attendance at the next board meeting (Section 92-2.5(e), HRS);
- (4) Circulating a statement regarding a position previously adopted by the board for approval provided that certain requirements under Section 92-2.5(h), HRS are met;
- (5) Delegating the responsibility for drafting and submitting legislative testimony to two board members or staff; and
- (6) Conducting an emergency meeting pursuant to Section 92-8(b), HRS, to discuss an unanticipated legislative issue or measure requiring full board action so long as specific conditions are adhered to (although this is not a preferred option per OIP).

In the alternative, an investigative permitted interaction group similar to those the Board has previously formed under Section 92-2.5(b)(1), HRS, may be formed to address legislative matters. However, use of this type of permitted interaction group would require at least three meetings to be held prior to a decision being rendered which would prohibit any quick decisions being made about positions to be taken on legislation.

Attachments:

OIP Quick Review: Sunshine Law Options to Address Legislative Issues and Measures

Section 92-2.5, HRS

Section 92-8, HRS

QUICK REVIEW: Sunshine Law Options to Address State Legislative Issues and Measures (Revised August 2022)

Sunshine Law boards that track legislation and submit testimony on legislative issues or measures are faced with the annual question: how can they keep up with the legislative calendar and submit testimony on a timely basis while still following the Sunshine Law? The State Office of Information Practices has prepared this Quick Review to provide several options. This Quick Review was written to address issues boards commonly have in tracking bills and testifying during the Hawaii State Legislature's regular session, but most of the options discussed could be adapted for use with other legislative bodies such as the federal Congress or a county council.

When dealing with legislative matters when legislative committees often give less than six days' notice of their hearings, one major hurdle that boards face is the Sunshine Law's six-day notice requirement before conducting a meeting to discuss a legislative measure. Since most boards typically meet on a monthly or less frequent basis, their meeting schedule together with the six-day notice requirement leave them with limited options to timely notice a meeting and discuss the adoption of its legislative testimony or position before the legislative hearing.

The Sunshine Law, however, allows board members to discuss board business outside a meeting in limited circumstances, as set forth in the "permitted interactions" section of the law. HRS § 92-2.5. These permitted interactions are not considered to be "meetings" of a board or subcommittee subject to the Sunshine Law's six-day advance notice requirements. HRS §92-2.5(i). Note, however, that the Sunshine Law does not allow permitted interactions to "be used to circumvent the spirit or requirements" of the law and thus permitted interactions generally cannot be mixed and matched or used serially because the resulting communication would go beyond the limits of any one permitted interaction. For instance, if four of nine board members are assigned to a permitted interaction group on a bill, the law would not allow one of those members to also talk about the same bill to a member who was not part of the group under the two-person permitted interaction, because doing so would mean the bill was serially discussed by a total of five members, more than allowed by either of those permitted interactions.

Among the various types of permitted interactions authorized under section 92-2.5, HRS, the most useful in developing or adopting positions on legislative measures are the four described in:

(1) **section 92-2.5(a)**, HRS, which allows two members of a board to discuss board business between themselves so long as no commitment to vote is made or sought;

(2) **section 92-2.5(b)(2)**, HRS, which allows a board to create a permitted interaction group (“PIG”) with less than a quorum of its membership to present, discuss, or negotiate any board position that the board had previously adopted at a meeting;

(3) **section 92-2.5 (e)**, HRS, which allows less than a quorum of board members to attend a legislative hearing (or other “informational meeting”) and report their attendance at the next board meeting; and

(4) **section 92-2.5(h)**, HRS, allowing an unlimited number of board members to circulate draft State legislative testimony for members’ review, written comment, and approval, subject to various limitations.

Permitted interactions are discussed in greater detail in OIP’s three-part Quick Review series on “Who Board Members Can Talk To and When,” which may be viewed on OIP’s [Training page at oip.hawaii.gov](https://oip.hawaii.gov/training).

Besides permitted interactions, other options for a board to address legislative matters are by delegation to staff, or through the special limited meeting provision for county councils, or at an emergency meeting of the board. What follows are the various options and practical considerations for a board to discuss and submit timely testimony on legislative issues or measures.

First Option: Delegation to Staff

At the outset of the legislative session, a board may file a notice of a public meeting with an agenda indicating that the board will consider the adoption of a position or the general policy direction it will take on specific legislative topics, subject matters and legislative measures, including the relevant bill numbers, if available, which the board desires to present in testimony during a legislative session. (A board may contact OIP’s Attorney of the Day to discuss whether the notice of an agenda item is legally sufficient.)

The board could then delegate to staff (e.g., executive director) the authority to track legislative measures and draft testimony in accordance with the positions and policy directives previously adopted by the board. The members of a board’s staff (assuming they are not board members) can freely discuss legislative measures the board is tracking among themselves without implicating the Sunshine Law or requiring a permitted interaction. Likewise, discussions involving staff and a single board member would not raise Sunshine Law concerns, unless the discussions comprise a serial communication between staff and individual board members to solicit a commitment to vote on a specific matter.

If the entire board wanted the opportunity to comment on and approve testimony drafted by staff, the board’s staff could then circulate draft testimony to all board members for their review and written comment and approval under section 92-2.5(h),

HRS, (discussed as the fifth option) so long as (1) the legislative deadline was too soon to allow the board to notice a meeting and (2) the board posts all drafts and communications about the testimony within 48 hours on the board's website or an appropriate state or county website. Alternatively, the staff could submit the testimony without further review or approval by the board, or after running it by one member, such as the board chair. Throughout the legislative session, the board's staff could also report on legislative measures and testimony at board or committee meetings conducted pursuant to the Sunshine Law, at which time the entire board or committee could discuss and deliberate on the measures.

Second Option: Delegation to Two Board Members

A board could delegate to two board members the authority to prepare and submit legislative testimony, talk to legislators, and attend legislative hearings, all in accordance with the position or policy direction the board had previously adopted. Under the permitted interaction authorized in section 92-2.5(a), HRS, two board members may discuss between themselves official board business, including legislative measures of interest to the board, provided that no commitment by the board members to vote on board business is made or sought and the two members do not constitute a quorum of the board.

The two board members working on a legislative issue or measure can provide reports at any meeting of the board when the issue is on the agenda. Moreover, different combinations of members may be assigned to work on different legislative issues or measures. However, the two board members assigned to a legislative measure or issue must be careful to avoid involving additional members in discussions of that matter outside a board meeting because these discussions could constitute a serial discussion among three or more members in violation of the Sunshine Law.

Discussions by all members may take place at duly noticed board meetings. The full board can continue to oversee the implementation of the general policy direction by the two board members and address any new issues that arise during the legislative session at its regularly scheduled meetings. If necessary, the full board may also hold emergency meetings, as described in the sixth option below.

Third Option: Permitted Interaction Group under Section 92-2.5(b)(2), HRS

Some boards may prefer to have more than two members involved in legislative matters. If so, a board may consider the establishment of a PIG under section 92-2.5(b)(2), HRS, which could consist of more than two members, so long as it is less than a quorum of the board.

Initially, the board should adopt its position or establish policy directives at a public meeting duly noticed under the Sunshine Law. The agenda item in the public meeting notice would describe the specific topic, subject matter, or legislative measure,

including any bill number, if known, that the board desires to adopt a position on or to set a policy directive in response to any legislative measure the board anticipates could be discussed during a legislative session. An additional agenda item for the public meeting should describe the PIG to be established under section 92-2.5(b)(2), HRS, including the assignment of specific board members to the PIG and the establishment of the scope of each member's authority to present, discuss, or negotiate any position that the board had previously adopted.

A legislative PIG established under section 92-2.5(b)(2), HRS, and acting within the scope of each member's previously defined authority, would not be subject to the investigative PIG's requirements under section 92-2.5(b)(1), HRS, to initially report its findings at a public meeting before the full board could discuss or act on the report at a subsequent meeting. Nor would a legislative PIG established under section 92-2.5(b)(2), HRS, be subject to the reporting requirements of section 92-2.5(e), HRS, for attending informational meetings described in the fourth option below.

Fourth Option: Permitted Interaction for Informational Meeting or Presentation

Section 92-2.5(e), HRS, allows two or more members of a board, but less than a quorum, to attend and participate in discussion at an informational meeting or presentation on matters relating to official board business, including meetings of another entity or a legislative hearing. The meeting or presentation, however, must not be specifically and exclusively organized for or directed toward board members, and a commitment by board members relating to a vote on a matter cannot be made or sought. At the next duly noticed board meeting, the board members must report their attendance at the informational meeting or presentation and the matters relating to official board business that were discussed during the meeting or presentation.

Under this permitted interaction, it would not be necessary for the full board to have previously created a PIG under section 92-2.5(b), HRS, or to have established a position or policy on a legislative measure or issue.

Fifth Option: Permitted Interaction for Board to Draft and Approve Testimony

If a board has no staff or if its members wish to take a more active role in legislative matters, then a board's own members may prepare and submit any legislative testimony in accordance with the position or policy direction the board had previously adopted. When a legislative deadline is too soon to allow the board to hold a meeting to approve testimony, any number of board members may circulate draft testimony for approval, so long as all drafts and comments are in writing and are posted within 48 hours of the statement's circulation to the board, on the board's website or an appropriate state or county website, pursuant to the legislative permitted interaction found at section 92-2.5(h), HRS.

This testimony permitted interaction, however, may be of limited benefit to boards because it would foreclose the use of other permitted interactions. To comply with specific statutory requirements and to avoid creating a serial use of permitted interactions, the testimony permitted interaction could not be readily used in combination with other permitted interactions, such as a general delegation of legislative authority to two members under section 92-2.5(a), HRS, or to a permitted interaction group (PIG) under section 92-2.5(b)(2), HRS. While these latter two permitted interactions allow in-person or phone communications between board members, the legislative permitted interaction requires all communications to be in writing and posted on the board's website. Additionally, the two other permitted interactions allow only a limited number of board members to communicate with each other, but the testimony permitted interaction allows communication among all board members.

Given these inherent conflicts between the requirements of different permitted interactions, a board that wants its board members to not just prepare and submit testimony but also talk about legislative issues generally outside a meeting, including attending hearings and meeting with legislators, will be better served by delegating the authority to pursue the board's previously adopted legislative positions to a subset of members acting under another permitted interaction, rather than drafting and approving testimony as a board under the testimony permitted interaction of section 92-2.5(h), HRS. Alternatively, the board could delegate that authority to staff as discussed in option one while retaining the option to have the board's members review and approve the testimony drafted by staff under this permitted interaction.

Sixth Option: Limited Meeting by County Council as Guests of Another Group

Any number of county councilmembers may attend a limited meeting that is open to the public, as guests of a board or community group holding its own meeting, provided that the following requirements of section 92-3.1(b), HRS, are met:

(1) six days' advance notice of the limited meeting must be provided to indicate whose board or community group the council is attending, but no agenda is necessary as it is not the council's own meeting;

(2) if the other board or community group is subject to the Sunshine Law, then that board or group must still meet the Sunshine Law's notice requirements;

(3) no more than one limited meeting per month may be held by the County Council involving the same board or community group;

(4) no limited meetings may be held outside the State; and

(5) the limited meeting shall not be used to circumvent the purpose of the Sunshine Law.

Additional requirements under section 92-3.1(c), HRS, for limited meetings apply, such as prior OIP approval and videotaping of the limited meeting, as well as the general meeting requirements, such as keeping minutes.

This option would allow more than a quorum of a county council to meet with constituents or community groups regarding their legislative concerns, but would not be a preferred way for the council itself to address legislative matters. If a quorum or more of a board wanted to attend a specific legislative hearing together, however, this form of limited meeting would be the only option for doing so, other than noticing the hearing as a regular board meeting.

Seventh Option: Emergency Meeting

If an unanticipated legislative issue or measure arises that requires the full board's action, an emergency meeting could be noticed under section 92-8(b), HRS, but this would not be a preferred option. An emergency meeting requires the board to meet the following conditions:

- (1) The board must state in writing the reasons for its finding that an unanticipated event has occurred and that an emergency meeting is necessary, and must obtain the Attorney General's concurrence.
- (2) Two-thirds of all members to which the board is entitled must agree that the conditions necessary for an emergency meeting exists.
- (3) Although six days' advance notice is not required, the written finding that an unanticipated event has occurred and that an emergency meeting is necessary, and an emergency meeting agenda, must be electronically posted in the same way as for a regular meeting notice and agenda, and copies provided to the office of the Lt. Governor or appropriate county clerk's office and made available in the board's office.
- (4) Persons requesting notification of board meetings on a regular basis must be contacted by postal mail, email, or telephone as soon as practicable.
- (5) The board's action must be limited to only action that must be taken on or before the date that a meeting would have been held, had the board noticed the meeting pursuant to section 92-7, HRS.

Because of the additional requirements for noticing an emergency meeting, as well as the logistical challenges of frequently gathering a quorum of a board's membership on short notice, this option is not one that would be used on a regular basis to deal with legislative issues or measures.

In closing, there are various options available to a Sunshine Law board to deal with legislative matters in a timely fashion. For additional guidance, please feel free to contact OIP's Attorney of the Day at 586-1400 or qip@hawaii.gov.

§92-2.5 Permitted interactions of members. (a) Two members of a board may discuss between themselves matters relating to board business to enable them to perform their duties faithfully, as long as no commitment to vote is made or sought and the two members do not constitute a quorum of their board.

(b) Two or more members of a board, but less than the number of members that would constitute a quorum for the board, may be assigned to:

- (1) Investigate a matter relating to board business; provided that:
 - (A) The scope of the investigation and the scope of each member's authority are defined at a meeting of the board;
 - (B) All resulting findings and recommendations are presented to the board at a meeting of the board; and
 - (C) Deliberation and decision-making on the matter investigated, if any, occurs only at a duly noticed meeting of the board held no less than six business days after the meeting at which the findings and recommendations of the investigation were presented to the board; or
- (2) Present, discuss, or negotiate any position that the board has adopted at a meeting of the board; provided that the assignment is made and the scope of each member's authority is defined at a meeting of the board before the presentation, discussion, or negotiation.

(c) Discussions between two or more members of a board, but less than the number of members that would constitute a quorum for the board, concerning the selection of the board's officers may be conducted in private without limitation or subsequent reporting.

(d) Board members present at a meeting that must be canceled for lack of quorum or terminated pursuant to section 92-3.5(c) may nonetheless receive testimony and presentations on items on the agenda and question the testifiers or presenters; provided that:

- (1) Deliberation or decisionmaking on any item, for which testimony or presentations are received, occurs only at a duly noticed meeting of the board held subsequent to the meeting at which the testimony and presentations were received;
- (2) The members present shall create a record of the oral testimony or presentations in the same manner as would

- be required by section 92-9 for testimony or presentations heard during a meeting of the board; and
- (3) Before its deliberation or decisionmaking at a subsequent meeting, the board shall:
 - (A) Provide copies of the testimony and presentations received at the canceled meeting to all members of the board; and
 - (B) Receive a report by the members who were present at the canceled or terminated meeting about the testimony and presentations received.

(e) Two or more members of a board, but less than the number of members that would constitute a quorum for the board, may attend an informational meeting or presentation on matters relating to board business, including a meeting of another entity, legislative hearing, convention, seminar, or community meeting; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. The board members in attendance may participate in discussions, including discussions among themselves; provided that the discussions occur during and as part of the informational meeting or presentation; provided further that no commitment relating to a vote on the matter is made or sought.

At the next duly noticed meeting of the board, the board members shall report their attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.

(f) Discussions between the governor and one or more members of a board may be conducted in private without limitation or subsequent reporting; provided that the discussion does not relate to a matter over which a board is exercising its adjudicatory function.

(g) Discussions between two or more members of a board and the head of a department to which the board is administratively assigned may be conducted in private without limitation; provided that the discussion is limited to matters specified in section 26-35.

(h) Where notice of the deadline to submit testimony to the legislature is less than the notice requirements in this section, a board may circulate for approval a statement regarding a position previously adopted by the board; provided that the position previously adopted by the board, the statement to be submitted as testimony, and communications among board members about the statement, including drafts, shall be in writing and accessible to the public, within forty-eight hours of the statement's circulation to the board, on the

board's website, or, if the board does not have a website, on an appropriate state or county website.

(i) Communications, interactions, discussions, investigations, and presentations described in this section are not meetings for purposes of this part. [L 1996, c 267, §2; am L 2005, c 84, §1; am L 2012, c 177, §1; am L 2022, c 264, §3; am L 2024, c 13, §2]

Law Journals and Reviews

Hawai'i's Sunshine Law Compliance Criteria. 26 UH L. Rev. 21.

Case Notes

Even assuming that written memoranda circulated by council members, in which the council members presented proposed actions, included justifications for the proposals, and sought "favorable consideration" of the proposals constituted a permitted interaction under subsection (a), the memoranda violated the mandate under subsection (b) that no permitted interaction be used to circumvent the spirit or requirements of the sunshine law to make a decision or to deliberate toward a decision upon board business. The "express premise" of the sunshine law is that opening up the government process to public scrutiny is the only viable and reasonable way to protect the public. 130 H. 228, 307 P.3d 1174 (2013).

Written memoranda circulated by council members, in which the council members presented proposed actions, included justifications for the proposals, and sought "favorable consideration" of the proposals did not fall within the permitted interaction described in subsection (a) because the memoranda: (1) were distributed among all of the members of the Maui county council rather than among only two members of the board; and (2) sought a commitment to vote by asking for "favorable consideration" of the proposals contained within them and thus, violated the sunshine law. 130 H. 228, 307 P.3d 1174 (2013).

Although subsection (a) does not expressly preclude city counsel

members from engaging in serial one-on-one conversations, when council members engaged in a series of one-on-one conversations relating to a particular item of council business, under §92-5(b), the spirit of the open meeting requirement was circumvented and the strong policy of having public bodies deliberate and decide its business in view of the public was thwarted and frustrated. 117 H. 1 (App.), 175 P.3d 111.

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§92-8 Emergency meetings. (a) If a board finds that an imminent peril to the public health, safety, or welfare requires a meeting in less time than is provided for in section 92-7, the board may hold an emergency meeting; provided that:

- (1) The board states in writing the reasons for its findings;
- (2) Two-thirds of all members to which the board is entitled agree that the findings are correct and an emergency exists;
- (3) An emergency agenda and the findings are electronically posted pursuant to section 92-7(b), filed with the office of the lieutenant governor or the appropriate county clerk's office, and posted in the board's office; provided further that the six calendar day requirement for filing and electronic posting shall not apply; and
- (4) Persons requesting notification on a regular basis are contacted by postal or electronic mail or telephone as soon as practicable.

(b) If an unanticipated event requires a board to take action on a matter over which it has supervision, control, jurisdiction, or advisory power, within less time than is provided for in section 92-7 to notice and convene a meeting of the board, the board may hold an emergency meeting to deliberate and decide whether and how to act in response to the unanticipated event; provided that:

- (1) The board states in writing the reasons for its finding that an unanticipated event has occurred and that an emergency meeting is necessary and the attorney general concurs that the conditions necessary for an emergency meeting under this subsection exist;
- (2) Two-thirds of all members to which the board is entitled agree that the conditions necessary for an emergency meeting under this subsection exist;
- (3) The finding that an unanticipated event has occurred and that an emergency meeting is necessary and the agenda for the emergency meeting under this subsection are electronically posted pursuant to section 92-7(b), filed with the office of the lieutenant governor or the appropriate county clerk's office, and posted in the board's office; provided further that the six calendar day requirement for filing and electronic posting shall not apply;
- (4) Persons requesting notification on a regular basis are

- contacted by postal or electronic mail or telephone as soon as practicable; and
- (5) The board limits its action to only that action that must be taken on or before the date that a meeting would have been held, had the board noticed the meeting pursuant to section 92-7.
- (c) For purposes of this part, an "unanticipated event" means:
- (1) An event which members of the board did not have sufficient advance knowledge of or reasonably could not have known about from information published by the media or information generally available in the community;
 - (2) A deadline established by a legislative body, a court, or a federal, state, or county agency beyond the control of a board; or
 - (3) A consequence of an event for which reasonably informed and knowledgeable board members could not have taken all necessary action. [L 1975, c 166, pt of §1; am L 1996, c 267, §4; am L 2017, c 64, §3; am L 2019, c 244, §3]

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UNIVERSITY
of HAWAII®
SYSTEM

January 31, 2025

DTS-2555

MEMORANDUM

TO: Board of Regents
University of Hawai'i

FROM: Gabe Lee, Chair
Board of Regents

A handwritten signature in blue ink, appearing to read 'Gabe Lee'.

SUBJECT: Discussion and Possible Board Action on Pending Legislation

PURPOSE

The intent of Agenda Item III.E. on the Board's February 6, 2026, special meeting agenda is to have the Board consider taking positions on pending legislation affecting the Board of Regents and the University of Hawai'i.

PENDING LEGISLATION:

Information on legislation that has been introduced during the Regular Session of 2025 which pertains to, or has an impact on, the Board or Board operations, including a description of their contents, is contained within the attached table. Please note that the information provided reflects the status of measures as of 12:00 p.m. on Friday, January 31, 2025, and may have changed since the submittal of this memorandum. This information is being provided for the purposes of determining whether the Board desires to take a position on any of these matters.

Attachments:

Table of Pending Legislation as of Jan. 31, 2025

Bill count	Bill #	Title & Description	Referral	Status	Introducer
1	HB50 [monitor only]	RELATING TO STATE GOVERNMENT. Authorizes boards and commissions to make employment decisions related to its officers and employees without the approval of the head of the department to which the board or commission is administratively attached.	LAB, JHA, FIN	(H)1/28/2025-The committee(s) on LAB recommend(s) that the measure be deferred.	GARRETT
2	HB403	RELATING TO THE SUNSHINE LAW. Authorizes any member of a board to attend an informational meeting or presentation on matters relating to board business; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. Repeals the requirement of a subsequent report of attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.	JHA	(H)1/21/2025-Referred to JHA, referral sheet 1	NAKAMURA (Introduced by request of another party)
3	HB1329	RELATING TO COMMUNITIES. Requires any state or county department pursuing any major plan or work effort that is likely to significantly affect members of any community to: (1) Conduct a public hearing on the issue, and post notices on the department's website; and (2) Send direct notices of the public hearing to state and county elected officials who have constituents in the community.	JHA, FIN	(H)1/30/2025-Re-referred to JHA, FIN, referral sheet 8	COCHRAN, AMATO, BELATTI, GRANDINETTI, IWAMOTO, PERRUSO, PIERICK, POEPOE, WARD
4	HB1453	RELATING TO PUBLIC MEETINGS. Prohibits boards from beginning or continuing meetings after 9:00 p.m., excluding county council meetings.	JHA	(H)1/27/2025-Referred to JHA, referral sheet 4	TAM, KILA, TEMPLO, Matayoshi

Bill count	Bill #	Title & Description	Referral	Status	Introducer
5	SB270	RELATING TO THE SUNSHINE LAW. Authorizes any member of a board to attend an informational meeting or presentation on matters relating to board business; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. Repeals the requirement of a subsequent report of attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.	GVO, JDC	(S)1/28/2025-The committee(s) on GVO deferred the measure until 01-30-25 3:01PM; Conference Room 225.	KOUCHI (Introduced by request of another party)
6	SB372	RELATING TO STATE NAMING COMMISSION. Establishes an Advisory Commission in the Department of Accounting and General Services to propose names or a change of names for state buildings, parks, facilities, and events.	GVO, WAM	(S)1/28/2025-The committee(s) on GVO deferred the measure until 01-30-25 3:01PM; Conference Room 225.	MCKELVEY, CHANG, KIDANI, Fevella, Fukunaga, Gabbard, Kanuha
7	SB381	RELATING TO PUBLIC AGENCY MEETINGS. Requires appointments and selections of heads of state divisions and agencies that require a board approval to be made through a publicly established process and timeline. Requires the approval of the process and timeline to appoint or select a new head of a state division or agency to be determined in an open meeting. Requires that votes to appoint or select heads of state divisions and agencies be conducted in an open meeting. Provides that any vote to appoint or select a head of a state division or agency cast in violation of the foregoing shall be invalid.	GVO, JDC	(S)1/28/2025-The committee(s) on GVO deferred the measure until 01-30-25 3:01PM; Conference Room 225.	MCKELVEY, CHANG, DECORTE, GABBARD, Fevella
8	SB741	RELATING TO THE UNIVERSITY OF HAWAII. Establishes an External Audit Committee within the University of Hawaii to audit the University of Hawaii System and the Board of Regents. Requires annual reports to the Legislature.	HRE, WAM	(S)1/23/2025-Referred to HRE, WAM.	DELA CRUZ, CHANG, ELEFANTE, HASHIMOTO, KIDANI, Richards

Bill count	Bill #	Title & Description	Referral	Status	Introducer
9	SB1253	RELATING TO BOARDS AND COMMISSIONS. Clarifies that the prohibition against board and commission holdover members from holding office beyond the end of the second regular legislative session following the expiration of the member's term of office takes precedence over any conflicting statutes.	GVO, JDC	(S)1/27/2025-Referred to GVO, JDC.	KIM, CHANG, DECOITE, FEVELLA, HASHIMOTO, INOUYE, WAKAI, Dela Cruz, Moriwaki
10	SB1254	RELATING TO THE BOARD OF REGENTS. Prohibits active employees of the University of Hawaii and the Research Corporation of the University of Hawaii from serving on the Board of Regents.	HRE, JDC	(S)1/27/2025-Referred to HRE, JDC.	KIM, CHANG, HASHIMOTO, KIDANI, MCKELVEY, MORIWAKI, Dela Cruz, Richards
11	SB1556	RELATING TO TRUSTED PUBLIC REPRESENTATIVES. Establishes a Trusted Public Representative Program within the Office of Information Practices under which the Office assigns a volunteer Trusted Public Representative trained in the requirements of the Sunshine Law and observes public agency meetings closed to the public. Allows the Office of Information Practices to conduct background checks of current and prospective Trusted Public Representatives. Requires annual reports to the Legislature. Appropriates funds.	GVO, WAM/JDC	(S)1/27/2025-Referred to GVO, WAM/JDC.	IHARA
12	SB1617	RELATING TO PUBLIC MEETINGS. Prohibits boards from beginning or continuing meetings after 9:00 p.m., excluding county council meetings.	GVO, JDC	(S)1/27/2025-Referred to GVO, JDC.	CHANG
13	SB1651	RELATING TO PUBLIC MEETINGS. Requires board packets to be posted two or more full business days before a public meeting.	GVO, JDC	(S)1/27/2025-Referred to GVO, JDC.	RHOADS
14	GM624	Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, JOSHUA FAUMUINA, for a term to expire 06-30-2026.	HRE	(S)1/23/2025-Referred to HRE.	



HB50

Measure Title:	RELATING TO STATE GOVERNMENT.
Report Title:	State Government; Boards and Commissions; Employment Decisions
Description:	Authorizes boards and commissions to make employment decisions related to its officers and employees without the approval of the head of the department to which the board or commission is administratively attached.
Companion:	SB444
Package:	None
Current Referral:	LAB, JHA, FIN
Introducer(s):	GARRETT

Sort by Date	Status Text
1/28/2025	H The committee(s) on LAB recommend(s) that the measure be deferred.
1/24/2025	H Bill scheduled to be heard by LAB on Tuesday, 01-28-25 9:00AM in House conference room 309 VIA VIDEOCONFERENCE.
1/21/2025	H Referred to LAB, JHA, FIN, referral sheet 1
1/16/2025	H Introduced and Pass First Reading.
1/10/2025	H Prefiled.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

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HB50

A BILL FOR AN ACT

RELATING TO STATE GOVERNMENT.

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

1 SECTION 1. Section 11-1.55, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[+]§11-1.55[+]~~ **Exemptions.** (a) The office of elections
4 shall be exempt from section ~~[+]26-35(a)(1)[7-(4)7]~~ and (5) ~~[+]~~
5 and shall:

6 (1) Make direct communications with the governor and
7 legislature; and

8 ~~[-(2)]~~ ~~Make all decisions regarding employment, appointment,~~
9 ~~promotion, transfer, demotion, discharge, and job~~
10 ~~descriptions of all officers and employees of or under~~
11 ~~the jurisdiction of the office of elections without~~
12 ~~the approval of the comptroller; and~~

13 ~~-(3)]~~ (2) Purchase all supplies, equipment, or furniture
14 without the approval of the comptroller.

15 (b) The office of elections shall follow all applicable
16 personnel laws."



H.B. NO. 50

1 SECTION 2. Section 11-9, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§11-9[+] **Exemptions.** (a) The elections commission
4 shall be exempt from section [+]26-35(a) (1) [~~7-(4)7~~] and (5) [+]
5 and shall:

6 (1) Make direct communications with the governor and
7 legislature; and

8 [~~(2)~~] ~~Make all decisions regarding employment, appointment,~~
9 ~~promotion, transfer, demotion, discharge, and job~~
10 ~~descriptions of all officers and employees of or under~~
11 ~~the jurisdiction of the elections commission without~~
12 ~~the approval of the comptroller; and~~

13 ~~(3)]~~ (2) Purchase all supplies, equipment, or furniture
14 without the approval of the comptroller.

15 (b) The elections commission shall follow all applicable
16 personnel laws."

17 SECTION 3. Section 11-317, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) The commission shall be exempt from section 26-
20 35(a) (1) [~~7-(4)7~~] and (5) and shall:



H.B. NO. 50

- 1 (1) Make direct communications with the governor and
 2 legislature; and
 3 ~~[(2) Make all decisions regarding employment, appointment,~~
 4 ~~promotion, transfer, demotion, discharge, and job~~
 5 ~~descriptions of all officers and employees of or under~~
 6 ~~the jurisdiction of the commission without the~~
 7 ~~approval of the comptroller; and~~
 8 ~~(3)]~~ (2) Purchase all supplies, equipment, or furniture
 9 without the approval of the comptroller."

10 SECTION 4. Section 26-35, Hawaii Revised Statutes, is
 11 amended by amending subsection (a) to read as follows:

12 "(a) Whenever any board or commission is established or
 13 placed within or transferred to a principal department for
 14 administrative purposes or subject to the administrative control
 15 or supervision of the head of the department, the following
 16 provisions shall apply except as otherwise specifically provided
 17 by this chapter:

- 18 (1) The head of the department shall represent the board
 19 or commission in communications with the governor and
 20 with the legislature; unless the legislature or a



H.B. NO. 90

- 1 legislative committee requests to communicate directly
2 with the board or commission;
- 3 (2) The financial requirements from state funds of the
4 board or commission shall be submitted through the
5 head of the department and included in the budget for
6 the department;
- 7 (3) All rules adopted by the board or commission shall be
8 subject to the approval of the governor;
- 9 (4) The employment, appointment, promotion, transfer,
10 demotion, discharge, and job descriptions of all
11 officers and employees of or under the jurisdiction of
12 the board or commission shall be determined by the
13 board or commission subject to ~~[the approval of the~~
14 ~~head of the department and to]~~ applicable personnel
15 laws; provided that the approval of the head of the
16 department shall not be required;
- 17 (5) All purchases of supplies, equipment, or furniture by
18 the board or commission shall be subject to the
19 approval of the head of the department;
- 20 (6) The head of the department shall have the power to
21 allocate the space or spaces available to the



1 department and which are to be occupied by the board
2 or commission;

3 (7) Any quasi-judicial functions of the board or
4 commission shall not be subject to the approval,
5 review, or control of the head of the department; and

6 (8) Except as set forth [~~hereinabove,~~] in paragraphs (1)
7 through (7), the head of the department shall not have
8 the power to supervise or control the board or
9 commission in the exercise of its functions, duties,
10 and powers."

11 SECTION 5. Section 201H-2, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

13 "(b) The corporation shall employ, exempt from chapter 76
14 [~~and section 26-35(a)(4)],~~ an executive director and an
15 executive assistant. The executive director shall be paid a
16 salary not to exceed the salary of the director of business,
17 economic development, and tourism. The executive assistant
18 shall be paid a salary not to exceed ninety per cent of the
19 executive director's salary. The corporation may employ,
20 subject to chapter 76, technical experts and officers, agents,
21 and employees, permanent and temporary, as required. The



H.B. NO. 50

1 corporation may also employ officers, agents, and employees,
 2 prescribe their duties and qualifications, and fix their
 3 salaries, not subject to chapter 76, when in the determination
 4 of the corporation, the services to be performed are unique and
 5 essential to the execution of the functions of the corporation.
 6 The corporation may call upon the attorney general for legal
 7 services as it may require. The corporation may delegate to one
 8 or more of its agents or employees its powers and duties as it
 9 deems proper."

10 SECTION 6. Section 205-1, Hawaii Revised Statutes, is
 11 amended by amending subsection (d) to read as follows:

12 "(d) Notwithstanding any law to the contrary, the
 13 commission shall be exempt from section 26-35 with the exception
 14 of section 26-35(a) (2), (3), (4), (7), and (8) [~~7~~] and [~~section~~
 15 ~~26-35(b)~~] (b) [~~shall apply~~]."

16 SECTION 7. Section 206M-2.5, Hawaii Revised Statutes, is
 17 amended by amending subsection (c) to read as follows:

18 "(c) The board shall be exempt from section [~~26-35(a)(4)~~
 19 ~~and (5)~~]. 26-35(a) (5)."

20 SECTION 8. Section 279D-4, Hawaii Revised Statutes, is
 21 amended by amending subsection (d) to read as follows:



1 "(d) Notwithstanding any law to the contrary,
 2 transportation management area metropolitan planning
 3 organizations shall be exempt from section 26-35, except
 4 [~~subsections (a) (7)~~] section 26-35(a) (4), (7), and (8) [7] and
 5 (b)."

6 SECTION 9. Section 323F-8, Hawaii Revised Statutes, is
 7 amended by amending subsection (a) to read as follows:

8 "(a) The corporation board may appoint, by majority vote
 9 of its entire membership, a chief executive officer of the
 10 corporation whose salary shall be set by the corporation board
 11 and who shall be exempt from chapter 76 [~~and section 26-~~
 12 ~~35(a) (4)~~]. The chief executive officer may also appoint up to
 13 eighteen other personnel, exempt from chapters 76 and 89, to
 14 work directly for the chief executive officer and the corporate
 15 board."

16 SECTION 10. Section 323F-8.5, Hawaii Revised Statutes, is
 17 amended by amending subsection (a) to read as follows:

18 "(a) Upon establishment, a regional system board may
 19 appoint a regional chief executive officer whose salary shall be
 20 set by the corresponding regional system board and may discharge
 21 a regional chief executive officer; provided that the position



1 shall be exempt from chapter 76 [~~and section 26-35(a)(4)~~]. Each
 2 regional chief executive officer may also appoint, as necessary,
 3 other personnel, exempt from chapters 76 and 89, to work
 4 directly for the regional chief executive officer for the
 5 regional system and for the corresponding regional system
 6 board."

7 SECTION 11. Section 356D-2, Hawaii Revised Statutes, is
 8 amended by amending subsection (b) to read as follows:

9 "(b) The authority shall employ, exempt from chapter 76
 10 [~~and section 26-35(a)(4)~~], an executive director, an executive
 11 assistant, a chief financial management advisor, a property
 12 management branch chief, a chief planner, and a redevelopment
 13 officer, whose salaries shall be set by the board established
 14 under section 356D-3; provided that no salary shall exceed the
 15 governor's salary. The authority may employ, subject to chapter
 16 76, technical experts and officers, agents, and employees,
 17 permanent or temporary, as required. The authority may also
 18 employ officers, agents, and employees; prescribe their duties
 19 and qualifications; and fix their salaries, not subject to
 20 chapter 76, when in the determination of the authority, the
 21 services to be performed are unique and essential to the



1 execution of the functions of the authority; provided that if
 2 the authority hires an officer, agent, or employee in a capacity
 3 not subject to chapter 76, the authority shall include in an
 4 annual report to the legislature, to be submitted [~~not~~] no later
 5 than twenty days prior to the convening of each regular session,
 6 the position descriptions and reasons for hiring the personnel
 7 in a civil service exempt capacity. The authority may call upon
 8 the attorney general for legal services as it may require. The
 9 authority may delegate to one or more of its agents or employees
 10 the powers and duties it deems proper."

11 SECTION 12. Section 577E-6, Hawaii Revised Statutes, is
 12 amended to read as follows:

13 "~~+~~\$577E-6~~+~~ **Exemption from administrative supervision**
 14 **of boards and commissions.** Notwithstanding any law to the
 15 contrary, the commission shall be exempt from section 26-35 with
 16 the exception of section ~~+~~26-35(a) (2), (3), (4), (7), and
 17 (8) ~~+~~."

18 SECTION 13. Statutory material to be repealed is bracketed
 19 and stricken. New statutory material is underscored.

20 SECTION 14. This Act shall take effect upon its approval.

21



H.B. NO. 90

INTRODUCED BY:



JAN 10 2025



H.B. NO. 50

Report Title:

State Government; Boards and Commissions; Employment Decisions

Description:

Authorizes boards and commissions to make employment decisions related to its officers and employees without the approval of the head of the department to which the board or commission is administratively attached.

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





HB403

Measure Title: RELATING TO THE SUNSHINE LAW.

Report Title: Kauai County Council Package; Sunshine Law; Boards; Members; Informational Meeting; Presentation; Board Business

Description: Authorizes any member of a board to attend an informational meeting or presentation on matters relating to board business; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. Repeals the requirement of a subsequent report of attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.

Companion: [SB270](#)

Package: Kauai County Council

Current Referral: JHA

Introducer(s): NAKAMURA (Introduced by request of another party)

Sort by
Date

Status Text

1/21/2025 H Referred to JHA, referral sheet 1

1/17/2025 H Introduced and Pass First Reading.

1/16/2025 H Pending introduction.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HB403

A BILL FOR AN ACT

RELATING TO THE SUNSHINE LAW.

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

1 SECTION 1. Section 92-2.5, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:
3 "(e) ~~[Two or more members]~~ Members of a board~~[- but less~~
4 ~~than the number of members that would constitute a quorum for~~
5 ~~the board,]~~ may attend an informational meeting or presentation
6 on matters relating to board business, including a meeting of
7 another entity, legislative hearing, convention, seminar, or
8 community meeting; provided that the meeting or presentation is
9 not specifically and exclusively organized for or directed
10 toward members of the board. The board members in attendance
11 may participate in discussions, including discussions among
12 themselves; provided that the discussions occur during and as
13 part of the informational meeting or presentation; provided
14 further that no commitment relating to a vote on the matter is
15 made or sought.

16 ~~[At the next duly noticed meeting of the board, the board~~
17 ~~members shall report their attendance and the matters presented~~



H.B. NO. 403

1 ~~and discussed that related to board business at the~~
2 ~~informational meeting or presentation.] "~~

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

9

INTRODUCED BY: *Nadine K. Plakun*

By Request

JAN 16 2025



H.B. NO. 403

Report Title:

Kauai County Council Package; Sunshine Law; Boards; Members; Informational Meeting; Presentation; Board Business

Description:

Authorizes any member of a board to attend an informational meeting or presentation on matters relating to board business; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. Repeals the requirement of a subsequent report of attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.

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





HB1329

Measure Title: RELATING TO COMMUNITIES.

Report Title: Government; Communities; Hearings; Notices; Elected Officials

Description: Requires any state or county department pursuing any major plan or work effort that is likely to significantly affect members of any community to: (1) Conduct a public hearing on the issue, and post notices on the department's website; and (2) Send direct notices of the public hearing to state and county elected officials who have constituents in the community.

Companion:

Package: None

Current Referral: JHA, FIN

Introducer(s): COCHRAN, AMATO, BELATTI, GRANDINETTI, IWAMOTO, PERRUSO, PIERICK, POEPOE, WARD

Sort by		Status Text
Date		
1/30/2025	H	Re-referred to JHA, FIN, referral sheet 8
1/27/2025	H	Referred to PBS, FIN, referral sheet 4
1/23/2025	H	Introduced and Pass First Reading.
1/22/2025	H	Pending introduction.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HB1329

A BILL FOR AN ACT

RELATING TO COMMUNITIES.

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

1 SECTION 1. The legislature recognizes that in the United
2 States of America and the State of Hawaii, our government is of
3 the people, by the people, and for the people. It is therefore
4 essential for governmental officials to communicate with the
5 people and the legislators elected to serve the people. The
6 legislature also recognizes that, unfortunately, governmental
7 officials do not always live up to this ideal. The legislature
8 believes that action is necessary to ensure that governmental
9 officials inform the people and their elected public servants
10 about matters that will impact their communities.

11 Accordingly, the purpose of this Act is to require any
12 state or county departments pursuing any major plan or work
13 effort that is likely to significantly affect members of any
14 community to:

- 15 (1) Conduct a public hearing on the issue, and post
16 notices on the department's website; and

H.B. NO. 1329

1 (2) Send direct notices of the public hearing to state and
2 county elected officials who have constituents in the
3 community.

4 SECTION 2. Chapter 26, Hawaii Revised Statutes, is amended
5 by adding a new section to part II be appropriately designated
6 and to read as follows:

7 "§26- Community issues; public hearings; notifications.

8 (a) Any department of the State pursuing any major plan or work
9 effort that is likely to significantly affect members of any
10 community within the State shall:

11 (1) Conduct a public hearing on the issue;

12 (2) Post a notice of the public hearing on the
13 department's website; and

14 (3) Send direct notices of the public hearing, via mail
15 and electronic mail, to the offices of:

16 (A) The governor;

17 (B) The mayor of the county in which the community is
18 located;

19 (C) Any members of the state senate who have
20 constituents in the affected community;



H.B. NO. 1329

1 (D) Any members of the state house of representatives
 2 who have constituents in the affected community;
 3 or

4 (E) Any members of a county council who have
 5 constituents in the affected community.

6 (b) For the purposes of this section, each public hearing
 7 shall be open to the general public without charge."

8 SECTION 3. Chapter 46, Hawaii Revised Statutes, is amended
 9 by adding a new section to part I be appropriately designated
 10 and to read as follows:

11 "§46- Community issues; public hearings; notifications.

12 (a) Any department of any county of the State pursuing any
 13 major plan or work effort that is likely to significantly affect
 14 members of any community within the county shall:

15 (1) Conduct a public hearing on the issue;

16 (2) Post a notice of the public hearing on the
 17 department's website; and

18 (3) Send direct notices of the public hearing, via mail
 19 and electronic mail, to the offices of:

20 (A) The governor;

21 (B) The mayor of the county;



H.B. NO. 1329

- 1 (C) Any members of the state senate who have
- 2 constituents in the affected community;
- 3 (D) Any members of the state house of representatives
- 4 who have constituents in the affected community;
- 5 or
- 6 (E) Any members of the county council who have
- 7 constituents in the affected community.

8 (b) For the purposes of this section, each public hearing
 9 shall be open to the general public without charge."

10 SECTION 4. This Act does not affect rights and duties that
 11 matured, penalties that were incurred, and proceedings that were
 12 begun before its effective date.

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 2025.

15

INTRODUCED BY: Elle Cochran

JAN 22 2025



H.B. NO. 1329

Report Title:

Government; Communities; Hearings; Notices; Elected Officials

Description:

Requires any state or county department pursuing any major plan or work effort that is likely to significantly affect members of any community to: (1) Conduct a public hearing on the issue, and post notices on the department's website; and (2) Send direct notices of the public hearing to state and county elected officials who have constituents in the community.

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HB1453

Measure Title:	RELATING TO PUBLIC MEETINGS.
Report Title:	Meeting Times; Boards; Limitations
Description:	Prohibits boards from beginning or continuing meetings after 9:00 p.m., excluding county council meetings.
Companion:	SB1617
Package:	None
Current Referral:	JHA
Introducer(s):	TAM, KILA, TEMPLO, Matayoshi

<u>Sort by</u>		Status Text
<u>Date</u>		
1/27/2025	H	Referred to JHA, referral sheet 4
1/23/2025	H	Introduced and Pass First Reading.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

HB1453

A BILL FOR AN ACT

RELATING TO PUBLIC MEETINGS.

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

1 SECTION 1. The legislature finds that public meetings
2 should be conducted at times that are accessible to the general
3 public. The legislature further finds that public meetings
4 conducted after 9:00 p.m. disadvantage those with work, school,
5 or caregiving obligations the following day.

6 Accordingly, the purpose of this Act is to prohibit boards
7 from beginning or continuing meetings after 9:00 p.m., excluding
8 county council meetings.

9 SECTION 2. Chapter 92, Hawaii Revised Statutes, is amended
10 by adding a new section to be appropriately designated and to
11 read as follows:

12 "§92- Meeting times; limitations. No board shall begin
13 or continue a meeting after 9:00 p.m.; provided that this
14 section shall not apply to county council meetings."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17



H.B. NO. 1453¹⁰⁷

INTRODUCED BY:  _____

JAN 23 2025



Report Title:

Meeting Times; Boards; Limitations

Description:

Prohibits boards from beginning or continuing meetings after 9:00 p.m., excluding county council meetings.

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





SB270

Measure Title:	RELATING TO THE SUNSHINE LAW.
Report Title:	Kauai County Council Package; Sunshine Law; Boards; Members; Informational Meeting; Presentation; Board Business
Description:	Authorizes any member of a board to attend an informational meeting or presentation on matters relating to board business; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. Repeals the requirement of a subsequent report of attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.
Companion:	HB403
Package:	Kauai County Council
Current Referral:	GVO, JDC
Introducer(s):	KOUCHI (Introduced by request of another party)

Sort by Date	Status Text
1/28/2025	S The committee(s) on GVO deferred the measure until 01-30-25 3:01PM; Conference Room 225.
1/24/2025	S The committee(s) on GVO has scheduled a public hearing on 01-28-25 3:00PM; Conference Room 225 & Videoconference.
1/21/2025	S Referred to GVO, JDC.
1/15/2025	S Introduced and passed First Reading.
1/14/2025	S Pending Introduction.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SB270

JAN 15 2025

A BILL FOR AN ACT

RELATING TO THE SUNSHINE LAW.

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

1 SECTION 1. Section 92-2.5, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:
3 "(e) ~~[Two or more members]~~ Members of a board~~[, but less~~
4 ~~than the number of members that would constitute a quorum for~~
5 ~~the board,]~~ may attend an informational meeting or presentation
6 on matters relating to board business, including a meeting of
7 another entity, legislative hearing, convention, seminar, or
8 community meeting; provided that the meeting or presentation is
9 not specifically and exclusively organized for or directed
10 toward members of the board. The board members in attendance
11 may participate in discussions, including discussions among
12 themselves; provided that the discussions occur during and as
13 part of the informational meeting or presentation; provided
14 further that no commitment relating to a vote on the matter is
15 made or sought.

16 ~~[At the next duly noticed meeting of the board, the board~~
17 ~~members shall report their attendance and the matters presented~~



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1 ~~and discussed that related to board business at the~~
2 ~~informational meeting or presentation.] "~~

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

9

INTRODUCED BY: *M. D. C.*
By Request



S.B. NO. 270

Report Title:

Kauai County Council Package; Sunshine Law; Boards; Members; Informational Meeting; Presentation; Board Business

Description:

Authorizes any member of a board to attend an informational meeting or presentation on matters relating to board business; provided that the meeting or presentation is not specifically and exclusively organized for or directed toward members of the board. Repeals the requirement of a subsequent report of attendance and the matters presented and discussed that related to board business at the informational meeting or presentation.

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SB372

Measure Title:	RELATING TO STATE NAMING COMMISSION.
Report Title:	DAGS; Naming Commission; State Buildings, Parks, Facilities, Events; Members
Description:	Establishes an Advisory Commission in the Department of Accounting and General Services to propose names or a change of names for state buildings, parks, facilities, and events.
Companion:	
Package:	None
Current Referral:	GVO, WAM
Introducer(s):	MCKELVEY, CHANG, KIDANI, Fevella, Fukunaga, Gabbard, Kanuha

Sort by Date	Status	Text
1/28/2025	S	The committee(s) on GVO deferred the measure until 01-30-25 3:01PM; Conference Room 225.
1/24/2025	S	The committee(s) on GVO has scheduled a public hearing on 01-28-25 3:00PM; Conference Room 225 & Videoconference.
1/21/2025	S	Referred to GVO, WAM.
1/15/2025	S	Introduced and passed First Reading.
1/14/2025	S	Pending Introduction.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

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SB372

JAN 15 2025

A BILL FOR AN ACT

RELATING TO STATE NAMING COMMISSION.

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

1 SECTION 1. Section 26-6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§26-6 Department of accounting and general services.** (a)
4 The department of accounting and general services shall be
5 headed by a single executive to be known as the comptroller.

6 (b) The department shall:

7 (1) Preaudit and conduct after-the-fact audits of the
8 financial accounts of all state departments to
9 determine the legality of expenditures and the
10 accuracy of accounts;

11 (2) Report to the governor and to each regular session of
12 the legislature as to the finances of each department
13 of the State;

14 (3) Administer the state risk management program;

15 (4) Establish and manage motor pools;

16 (5) Manage the preservation and disposal of all records of
17 the State;



S.B. NO. 372

- 1 (6) Undertake the program of centralized engineering and
2 office leasing services, including operation and
3 maintenance and lease buyback processing pursuant to
4 subsection (d) of public buildings, for departments of
5 the State;
- 6 (7) Undertake the functions of the state surveyor;
- 7 (8) Establish accounting and internal control systems;
- 8 (9) Have the discretion to employ persons within the
9 comptroller's office who shall be exempt from chapters
10 76 and 89 in support of communications, change
11 management, and business process improvement programs
12 as part of the State's information technology
13 modernization efforts; provided that the persons shall
14 be members of the state employees' retirement system
15 and shall be eligible to receive the benefits of any
16 state employee benefit program generally applicable to
17 officers and employees of the State;
- 18 (10) Provide centralized computer information management
19 and processing services through the chief information
20 officer;



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- 1 (11) Establish a program to provide a means for public
2 access to public information and develop an
3 information network for state government;
- 4 (12) Assume administrative responsibility for the office of
5 information practices; and
- 6 (13) Approve state fleet acquisitions; provided that:
- 7 (A) Beginning January 1, 2022, all new light-duty
8 motor vehicles that are passenger cars purchased
9 for the State's fleet shall be zero-emission
10 vehicles;
- 11 (B) Beginning as soon as practicable but no later
12 than January 1, 2030, all new light-duty motor
13 vehicles that are multipurpose passenger vehicles
14 and trucks for the State's fleet shall be zero-
15 emission vehicles; and
- 16 (C) The comptroller may authorize an exemption for
17 new fleet vehicle purchases if zero-emission
18 vehicles are demonstrated to be cost-prohibitive
19 on a lifecycle basis or unsuitable for the
20 vehicles' planned purpose, or if funds are
21 unavailable.



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1 For the purposes of this subsection:

2 "Light-duty motor vehicle" has the same meaning as defined
3 in title 10 Code of Federal Regulations part 490.

4 "Multipurpose passenger vehicle" has the same meaning as
5 defined in title 49 Code of Federal Regulations section 571.3.

6 "Passenger car" has the same meaning as defined in title 49
7 Code of Federal Regulations section 571.3.

8 "Truck" has the same meaning as defined in title 49 Code of
9 Federal Regulations section 571.3.

10 "Zero-emission vehicle" has the same meaning as specified
11 in title 40 Code of Federal Regulations section 88.1.

12 (c) The state communication system shall be established
13 to:

14 (1) Facilitate implementation of the State's distributed
15 information processing and information resource
16 management plans;

17 (2) Improve data, voice, and video communications in state
18 government;

19 (3) Provide a means for connectivity among the state,
20 university, and county computer systems; and



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1 (4) Provide a long-term means for public access to public
2 information.

3 (d) The department shall establish, coordinate, and manage
4 a program to facilitate facility agreements between the State
5 and private investors for the sale of facilities, excluding
6 facilities managed or controlled by the department of
7 transportation, to private investors; provided that each
8 facility agreement contains the following requirements:

9 (1) The State shall sell the facility to the private
10 investor, who shall:

11 (A) Renovate, improve, or construct a facility for
12 the State and may maintain the facility; and

13 (B) Lease the facility to the State, pursuant to a
14 building lease;

15 (2) The land upon which the facility rests shall not be
16 sold to the private investor; provided that the land
17 may be leased at a nominal rate to the private
18 investor for a term that would, at a minimum, allow
19 the private investor to recover the capital investment
20 that has been made to the facility, including
21 depreciation; and



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1 (3) The State shall have the option of purchasing the
2 facility from the private investor for the remaining
3 balance of the debt service costs incurred by the
4 private investor at any time.

5 For purposes of this subsection:

6 "Building lease" means a contract between the department of
7 accounting and general services and a private investor in which
8 the private investor leases an improved facility to the
9 department for a specified period [~~of time~~].

10 "Facility" means a building under the management and
11 control of any state department.

12 "Facility agreement" means an agreement between the State
13 and a private investor that, at a minimum, includes a
14 description of the work to be done, the sale price for the
15 facility, the duration of the agreement, the roles and
16 responsibilities of the State and the private investor, and the
17 terms and conditions for the lease.

18 "Private investor" means a nongovernmental entity.

19 (e) The department may adopt rules as may be necessary or
20 desirable for the operation and maintenance of public buildings;
21 for the operation and implementation of a program to provide a



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1 means for public access to the State's information network
2 system and public information; and for the implementation of
3 facility agreements pursuant to subsection (d). The rules shall
4 be adopted pursuant to chapter 91.

5 (f) The King Kamehameha celebration commission shall be
6 placed within the department of accounting and general services
7 for administrative purposes. The functions, duties, and powers,
8 subject to the administrative control of the comptroller, and
9 the composition of the commission shall be as [heretofore]
10 provided by law.

11 (g) There is established within the department of
12 accounting and general services an advisory commission to
13 propose names for state buildings, parks, facilities, and
14 events. The commission shall consist of nine members to be
15 appointed by the governor in the manner provided by section
16 26-34; provided that:

17 (1) Three members shall be appointed from a list of not
18 less than nine nominees submitted by the speaker of
19 the house of representatives;



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- 1 (2) Three members shall be appointed from a list of not
2 less than nine nominees submitted by the president of
3 the senate;
- 4 (3) One member shall be appointed from the state historic
5 preservation division who shall serve as an ex
6 officio, voting member;
- 7 (4) One member shall be appointed from Hawaiiinuiakea
8 school of Hawaiian knowledge, who shall serve as an ex
9 officio, voting member; and
- 10 (5) One member shall be appointed to represent the public.
- 11 The terms of all appointments shall be four years. The
12 governor shall appoint the chairperson of the commission from
13 among the members. The members of the commission shall serve
14 without compensation, but shall be entitled to reimbursement for
15 travel and other necessary expenses while attending meetings and
16 while in discharge of their duties. The department of
17 accounting and general services shall provide staff as
18 necessary, including clerical support staff, to assist the
19 commission in its duties. The department of accounting and
20 general services may include a cultural advisor to the
21 commission if determined to be applicable. The commission shall



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1 be responsible for proposing names or a change of name for any
2 state building, park, facility, or event. The commission shall
3 submit any proposals to the governor for the governor's
4 consideration. The commission shall adopt rules pursuant to
5 chapter 91 necessary for the purposes of this subsection.

6 ~~(g)~~ (h) The functions and authority heretofore exercised
7 by the comptroller, board of commissioners of public archives,
8 the archivist, the disposal committee, and the insurance
9 management, surplus property management, and central purchasing
10 functions of the bureau of the budget and the nonhighway
11 functions of the department of public works as ~~heretofore~~
12 constituted are transferred to the department of accounting and
13 general services established by this chapter.

14 ~~(h)~~ (i) The department of accounting and general
15 services shall preserve and protect Washington Place, including
16 the grounds and the historic residence situated on its premises
17 at Miller and Beretania Streets in Honolulu. The department
18 shall administer, manage, operate, and maintain Washington Place
19 and the trust fund created under subsection ~~(i)~~ (j).



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1 [~~(i)~~] (j) There is established a trust fund in the state
2 treasury to be known as the Washington Place trust fund, into
3 which shall be deposited:

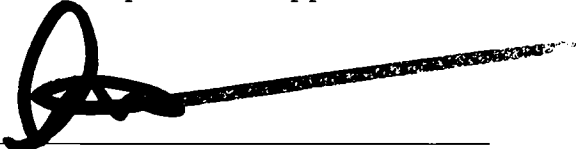
- 4 (1) All rents and fees collected for the use of Washington
- 5 Place and from activities conducted on the premises;
- 6 (2) All other money received for the fund from any other
- 7 source; and
- 8 (3) All income and interest earned or accrued on moneys
- 9 deposited into the trust fund.

10 All moneys deposited into the trust fund shall be expended
11 by the department of accounting and general services and used
12 exclusively to implement the provisions of subsection [~~(h)~~] (i),
13 including for staff salaries and fringe benefits, and shall
14 not be transferred, nor subject to transfer, to the general fund
15 or any other fund in the state treasury."

16 SECTION 2. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 3. This Act shall take effect upon its approval.

19

INTRODUCED BY: 



S.B. NO. 372

Report Title:

DAGS; Naming Commission; State Buildings, Parks, Facilities, Events; Members

Description:

Establishes an Advisory Commission in the Department of Accounting and General Services to propose names or a change of names for state buildings, parks, facilities, and events.

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SB381

Measure Title: RELATING TO PUBLIC AGENCY MEETINGS.

Report Title: Public Agency Meetings and Records; Sunshine Law; Open Deliberation; Open Meeting; Appointment; Selection; Head of a State Division or Agency; Voting

Description: Requires appointments and selections of heads of state divisions and agencies that require a board approval to be made through a publicly established process and timeline. Requires the approval of the process and timeline to appoint or select a new head of a state division or agency to be determined in an open meeting. Requires that votes to appoint or select heads of state divisions and agencies be conducted in an open meeting. Provides that any vote to appoint or select a head of a state division or agency cast in violation of the foregoing shall be invalid.

Companion:

Package: None

Current Referral: GVO, JDC

Introducer(s): MCKELVEY, CHANG, DECORTE, GABBARD, Fevella

Sort by
Date

Status Text

1/28/2025	S	The committee(s) on GVO deferred the measure until 01-30-25 3:01PM; Conference Room 225.
1/24/2025	S	The committee(s) on GVO has scheduled a public hearing on 01-28-25 3:00PM; Conference Room 225 & Videoconference.
1/21/2025	S	Referred to GVO, JDC.
1/15/2025	S	Introduced and passed First Reading.
1/14/2025	S	Pending Introduction.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SB381

THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 381

JAN 15 2025

A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS.

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

1 SECTION 1. The legislature finds that ensuring
2 transparency and openness in the appointment of leadership
3 positions within state divisions and agencies is essential to
4 fostering public trust, accountability, and effective
5 governance. In recent years, public discourse and media
6 coverage have underscored the importance of transparency,
7 particularly in the context of decisions that shape the
8 operational priorities and policies of government entities.

9 Transparency in the selection of board-appointed leadership
10 has a direct impact on public confidence in the integrity and
11 fairness of governmental operations. Lack of openness in these
12 processes may lead to perceptions of favoritism, conflicts of
13 interest, or decisions that do not reflect the best interests of
14 the public. This perception undermines the democratic
15 principles that are the foundation of public governance.

16 The legislature recognizes the following critical concerns:



S.B. NO. 381

- 1 (1) Public interest and stakeholder engagement. Public
2 boards often oversee critical areas such as education,
3 health care, public safety, and infrastructure.
4 Decisions affecting the leadership of state divisions
5 or agencies responsible for these areas can
6 significantly influence the quality of services
7 provided to residents;
- 8 (2) Media reports and investigative findings.
9 Investigative reports have highlighted instances where
10 opaque or inconsistent processes in appointing or
11 selecting heads of divisions or agencies have led to
12 controversies, eroding public trust and creating legal
13 or operational challenges for state agencies;
- 14 (3) National standards and best practices. Across the
15 United States, many states have moved towards
16 codifying open and transparent selection processes for
17 public appointments to ensure equity, merit-based
18 decisions, and public confidence; and
- 19 (4) Economic and social implications. Leadership
20 transitions often involve policy shifts that affect
21 local economies, vulnerable populations, and resource



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1 allocation. Transparent processes ensure that all
2 stakeholders understand and can contribute to these
3 decisions.

4 The legislature believes that it is critical for the State
5 to affirm its commitment to integrity, equity, and transparency,
6 and ensure that board decisions concerning the appointment and
7 selection of heads of state divisions and agencies are made
8 openly and in alignment with the public's best interest.

9 Accordingly, the purpose of this Act is to establish a
10 clear statutory framework mandating transparency,
11 accountability, and public participation in the selection
12 processes for board-appointed positions. This framework will
13 ensure that all deliberations and votes related to the selection
14 of heads of state divisions and agencies occur in public
15 meetings; processes and timelines for appointments are
16 predetermined and disclosed to the public; and amendments to
17 selection processes are made transparently and openly.

18 SECTION 2. Chapter 92, Hawaii Revised Statutes, is amended
19 by adding a new section to part I to be appropriately designated
20 and to read as follows:



S.B. NO. 381

1 "§92- Appointment; selection; head of a division or
2 agency. (a) Upon the vacancy or anticipated vacancy of the
3 head of any division or agency of the State that requires a
4 board to appoint or otherwise select the new head, the board
5 shall use open deliberation in an open meeting to establish a
6 process and timeline for the appointment or selection of the new
7 head. Approval of the process and timeline shall be determined
8 in an open meeting.

9 (b) The board shall follow the process and timeline
10 established under subsection (a). If, during the selection
11 process, the board determines that the process or timeline
12 requires amendment, the amendment shall be made through open
13 deliberation in an open meeting and approval of the amendment
14 shall be determined in an open meeting.

15 (c) Any appointment or selection of a head of any division
16 or agency of the State by a board that is made in violation of
17 this section shall be invalid."

18 SECTION 3. Section 92-5, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:



S.B. NO. 381

- 1 "(a) A board may hold a meeting closed to the public
2 pursuant to section 92-4 for one or more of the following
3 purposes:
- 4 (1) To consider and evaluate personal information relating
5 to individuals applying for professional or vocational
6 licenses cited in section 26-9 or both;
- 7 (2) To consider the hire, evaluation, dismissal, or
8 discipline of an officer or employee or of charges
9 brought against the officer or employee, where
10 consideration of matters affecting privacy will be
11 involved; provided that if the individual concerned
12 requests an open meeting, an open meeting shall be
13 held; provided further that any vote to appoint or
14 select a head of a division or agency pursuant to
15 section 92- shall be conducted in an open meeting;
- 16 (3) To deliberate concerning the authority of persons
17 designated by the board to conduct labor negotiations
18 or to negotiate the acquisition of public property, or
19 during the conduct of such negotiations;



S.B. NO. 381

- 1 (4) To consult with the board's attorney on questions and
2 issues pertaining to the board's powers, duties,
3 privileges, immunities, and liabilities;
- 4 (5) To investigate proceedings regarding criminal
5 misconduct;
- 6 (6) To consider sensitive matters related to public safety
7 or security;
- 8 (7) To consider matters relating to the solicitation and
9 acceptance of private donations; and
- 10 (8) To deliberate or make a decision upon a matter that
11 requires the consideration of information that must be
12 kept confidential pursuant to a state or federal law,
13 or a court order."

14 SECTION 4. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 5. New statutory material is underscored.

18 SECTION 6. This Act shall take effect upon its approval.

19

INTRODUCED BY: 



S.B. NO. 381

Report Title:

Public Agency Meetings and Records; Sunshine Law; Open Deliberation; Open Meeting; Appointment; Selection; Head of a State Division or Agency; Voting

Description:

Requires appointments and selections of heads of state divisions and agencies that require a board approval to be made through a publicly established process and timeline. Requires the approval of the process and timeline to appoint or select a new head of a state division or agency to be determined in an open meeting. Requires that votes to appoint or select heads of state divisions and agencies be conducted in an open meeting. Provides that any vote to appoint or select a head of a state division or agency cast in violation of the foregoing shall be invalid.

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





SB741

Measure Title: RELATING TO THE UNIVERSITY OF HAWAII.

Report Title: UH; BOR; Auditor; Governor; Chief Justice; External Audit Committee; Established; Reports

Description: Establishes an External Audit Committee within the University of Hawai'i to audit the University of Hawai'i System and the Board of Regents. Requires annual reports to the Legislature.

Companion:

Package: None

Current Referral: HRE, WAM

Introducer(s): DELA CRUZ, CHANG, ELEFANTE, HASHIMOTO, KIDANI, Richards

Sort by		Status Text
Date		
1/23/2025	S	Referred to HRE, WAM.
1/21/2025	S	Passed First Reading.
1/17/2025	S	Introduced.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SB741

JAN 17 2025

A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1 SECTION 1. The legislature finds that ensuring
2 accountability and transparency of operations relating to the
3 university of Hawaii and the board of regents of the university
4 of Hawaii is a matter of statewide concern pursuant to article
5 X, section 6, of the Hawaii State Constitution.

6 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
7 amended by adding a new section to part I, subpart A, to be
8 appropriately designated and to read as follows:

9 "§304A- External audit committee. (a) There is
10 established within the university of Hawaii an external audit
11 committee to audit the board of regents and the university of
12 Hawaii system.

13 (b) The committee shall include the following members:

14 (1) The auditor;

15 (2) One member appointed by the governor;

16 (3) One member appointed by the chief justice; and



S.B. NO. 741

1 (4) Other members invited by the external audit committee,
2 as appropriate.

3 (c) The external audit committee shall be subject to
4 chapter 84. The external audit committee shall be exempt from
5 chapter 91 and chapter 92 to the extent that the audit committee
6 is engaging in discussions that should remain confidential in
7 accordance with nationally recognized best practices for
8 external and independent audit committees, or in proceedings
9 arising from an investigation by the external audit committee
10 relating to potentially actionable civil or criminal conduct,
11 regardless of whether the investigation is pending or
12 outstanding.

13 (d) The external audit committee shall engage in oversight
14 relating to enterprise risk management.

15 (e) The external audit committee shall hold meetings as
16 needed to address matters on its agenda, not less frequently
17 than twice per year.

18 (f) The external audit committee shall review its
19 effectiveness annually.

20 (g) The committee shall submit a report of its findings
21 and recommendations, including any proposed legislation, to the



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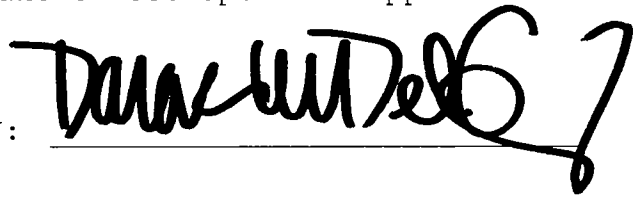
1 governor, chief justice, and legislature no later than twenty
 2 days prior to the convening of each regular session."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

5

INTRODUCED BY:




S.B. NO. 741

Report Title:

UH; BOR; Auditor; Governor; Chief Justice; External Audit
Committee; Established; Reports

Description:

Establishes an External Audit Committee within the University of Hawaii to audit the University of Hawaii System and the Board of Regents. Requires annual reports to the Legislature.

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





SBI253

Measure Title: RELATING TO BOARDS AND COMMISSIONS.

Report Title: Boards; Commissions; Holdover Member; Limitation

Description: Clarifies that the prohibition against board and commission holdover members from holding office beyond the end of the second regular legislative session following the expiration of the member's term of office takes precedence over any conflicting statutes.

Companion:

Package: None

Current Referral: GVO, JDC

Introducer(s): KIM, CHANG, DECOITE, FEVELLA, HASHIMOTO, INOUE, WAKAI, Dela Cruz, Moriwaki

Sort by Date	Status	Text
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1/27/2025	S	Referred to GVO, JDC.
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1/23/2025	S	Introduced and passed First Reading.
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1/21/2025	S	Pending Introduction.
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S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SBI253

JAN 23 2025

A BILL FOR AN ACT

RELATING TO BOARDS AND COMMISSIONS.

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

1 SECTION 1. Section 26-34, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) Any member of a board or commission whose term has
4 expired and who is not disqualified for membership under
5 subsection (a) may continue in office as a holdover member until
6 a successor is nominated and appointed; provided that a holdover
7 member shall not hold office beyond the end of the second
8 regular legislative session following the expiration of the
9 member's term of office. This subsection shall take precedence
10 over all conflicting statutes concerning holdover members."

11 SECTION 2. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.

13

INTRODUCED BY: 



S.B. NO. 1253

Report Title:

Boards; Commissions; Holdover Member; Limitation

Description:

Clarifies that the prohibition against board and commission holdover members from holding office beyond the end of the second regular legislative session following the expiration of the member's term of office takes precedence over any conflicting statutes.

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SBI254

Measure Title:	RELATING TO THE BOARD OF REGENTS.
Report Title:	UH; BOR; RCUH; Membership; Qualifications
Description:	Prohibits active employees of the University of Hawai'i and the Research Corporation of the University of Hawai'i from serving on the Board of Regents.
Companion:	
Package:	None
Current Referral:	HRE, JDC
Introducer(s):	KIM, CHANG, HASHIMOTO, KIDANI, MCKELVEY, MORIWAKI, Dela Cruz, Richards

<u>Sort by Date</u>		Status Text
1/27/2025	S	Referred to HRE, JDC.
1/23/2025	S	Introduced and passed First Reading.
1/21/2025	S	Pending Introduction.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SBI254

JAN 23 2025

A BILL FOR AN ACT

RELATING TO THE BOARD OF REGENTS.

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

1 SECTION 1. The legislature finds that appointing a
2 university employee to the board of regents may create a
3 conflict of interest, as an employee may have personal or
4 departmental interests that could raise ethical concerns,
5 compromise the impartiality of decisions made by the board of
6 regents, and erode the public's trust in the governance of the
7 university. An employee serving on the board of regents may
8 have, or create the perception of having, divided loyalties and
9 prioritize their department's interests over the broader needs
10 of the university, thus undermining the board's responsibility
11 to act in the best interest of the institution. Furthermore,
12 the dual roles of employee and regent could lead to confusion
13 regarding duties and responsibilities, hindering effective
14 decision-making.

15 The legislature further finds that prohibiting individuals
16 who are employees of the university of Hawaii from serving on
17 the board of regents ensures impartial governance, objective



S.B. NO. 1254

1 decision-making, prevents potential conflicts of interest, and
2 maintains public trust in the university of Hawaii's leadership.

3 The legislature also finds that prohibiting active
4 employees of the university of Hawaii and the research
5 corporation of the university of Hawaii from serving on the
6 board of regents is a matter of statewide concern pursuant to
7 article X, section 6, of the Hawaii State Constitution.

8 Therefore, the purpose of this Act is to ensure that only
9 individuals without a current employment relationship with the
10 university of Hawaii shall be eligible for appointment to the
11 board of regents.

12 SECTION 2. Section 304A-104, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

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



1 process, the governor may request that the candidate advisory
 2 council reopen recruitment for qualified candidates. Members
 3 may be removed by the governor. No active employee of the
 4 university or the research corporation of the university of
 5 Hawaii shall be eligible for appointment to the board of
 6 regents. Except as otherwise provided by law, state officers
 7 shall be eligible for appointment and membership.

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



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

11 SECTION 3. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: *Amor Mercado K.*



S.B. NO. 1254**Report Title:**

UH; BOR; RCUH; Membership; Qualifications

Description:

Prohibits active employees of the University of Hawaii and the Research Corporation of the University of Hawaii from serving on the Board of Regents.

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SBI556

Measure Title: RELATING TO TRUSTED PUBLIC REPRESENTATIVES.

Report Title: OIP; Public Agency Meetings; Sunshine Law; Executive Meetings; Trusted Public Representatives; Program; Rules; Report; Appropriations (\$)

Description: Establishes a Trusted Public Representative Program within the Office of Information Practices under which the Office assigns a volunteer Trusted Public Representative trained in the requirements of the Sunshine Law and observes public agency meetings closed to the public. Allows the Office of Information Practices to conduct background checks of current and prospective Trusted Public Representatives. Requires annual reports to the Legislature. Appropriates funds.

Companion:

Package: None

Current Referral: GVO, WAM/JDC

Introducer(s): IHARA

[Sort by Date](#)

Status Text

1/27/2025	S	Referred to GVO, WAM/JDC.
1/23/2025	S	Introduced and passed First Reading.
1/22/2025	S	Pending Introduction.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SBI556

JAN 23 2025

A BILL FOR AN ACT

RELATING TO TRUSTED PUBLIC REPRESENTATIVES.

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

1 SECTION 1. The purpose of this Act is to establish the
2 trusted public representatives program within the office of
3 information practices to train and authorize volunteers to
4 attend and monitor closed board meetings to ensure that the
5 discussions are held in accordance with the State's sunshine
6 law.

7 SECTION 2. Chapter 92, Hawaii Revised Statutes, is amended
8 by adding a new section to be appropriately designated and to
9 read as follows:

10 "§92-A Trusted public representatives program. (a) The
11 office of information practices shall establish a trusted public
12 representatives program under which the office shall train and
13 assign a volunteer trusted public representative trained in the
14 requirements of this chapter to observe meetings closed to the
15 public to ensure the meeting's compliance with this chapter.

16 (b) A trusted public representative shall, at minimum:

17 (1) Be a resident of the State;



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- 1 (2) Be at least eighteen years of age;
- 2 (3) Have no conflicts of interest with the boards or
- 3 commissions the representative will monitor;
- 4 (4) Demonstrate a commitment to transparency and
- 5 accountability in government;
- 6 (5) Pass a background check conducted by the office of
- 7 information practices; and
- 8 (6) Possess strong communication and observation skills.
- 9 (c) The office of information practices:
- 10 (1) Shall provide training on this chapter to each trusted
- 11 public representative to enable trusted public
- 12 representatives to perform their duties;
- 13 (2) May assign trusted public representatives to observe
- 14 meetings closed to the public pursuant to section
- 15 92-4;
- 16 (3) Shall adopt rules pursuant to chapter 91 necessary to
- 17 implement the program, including but not limited to
- 18 establishing:
- 19 (A) The criteria and procedures for the recruitment
- 20 and selection of trusted public representatives;



1 (B) Procedures for the trusted public representatives
2 to observe meetings closed to the public and
3 report suspected noncompliance with this chapter
4 to the office of information practices;

5 (C) Procedures for investigating reports of suspected
6 noncompliance with this chapter; and

7 (D) Procedures and criteria in performing periodic
8 review and evaluations of trusted public
9 representatives; and

10 (4) Shall submit an annual report to the legislature of
11 the activities of the trusted public representatives
12 program and any resulting recommendations for
13 legislative or administrative action.

14 (d) Trusted public representatives:

15 (1) Serve on a volunteer basis and without compensation
16 but shall be reimbursed for expenses, including travel
17 expenses, necessary for the performance of their
18 duties; provided that reimbursement shall follow
19 procedures and requirements established by the office
20 of information practices, including the submission of
21 receipts and documentation;



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- 1 (2) Observe meetings closed to the public, as assigned by
 2 the office of information practices;
- 3 (3) Submit a confidential report to the director of the
 4 office of information practices that the meeting was
 5 conducted in conformance with this chapter and, if
 6 not, describe any board discussion that appeared to
 7 exceed the scope of this chapter; and
- 8 (4) Maintain the confidentiality of discussions held in
 9 the meetings.

10 SECTION 3. Section 846-2.7, Hawaii Revised Statutes, is
 11 amended by amending subsection (b) to read as follows:

- 12 "(b) Criminal history record checks may be conducted by:
- 13 (1) The department of health or its designee on operators
 14 of adult foster homes for individuals with
 15 developmental disabilities or developmental
 16 disabilities domiciliary homes and their employees, as
 17 provided by section 321-15.2;
- 18 (2) The department of health or its designee on
 19 prospective employees, persons seeking to serve as
 20 providers, or subcontractors in positions that place
 21 them in direct contact with clients when providing



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- 1 non-witnessed direct mental health or health care
2 services as provided by section 321-171.5;
- 3 (3) The department of health or its designee on all
4 applicants for licensure or certification for,
5 operators for, prospective employees, adult
6 volunteers, and all adults, except adults in care, at
7 healthcare facilities as defined in section 321-15.2;
- 8 (4) The department of education on employees, prospective
9 employees, and teacher trainees in any public school
10 in positions that necessitate close proximity to
11 children as provided by section 302A-601.5;
- 12 (5) The counties on employees and prospective employees
13 who may be in positions that place them in close
14 proximity to children in recreation or child care
15 programs and services;
- 16 (6) The county liquor commissions on applicants for liquor
17 licenses as provided by section 281-53.5;
- 18 (7) The county liquor commissions on employees and
19 prospective employees involved in liquor
20 administration, law enforcement, and liquor control
21 investigations;



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- 1 (8) The department of human services on operators and
2 employees of child caring institutions, child placing
3 organizations, and resource family homes as provided
4 by section 346-17;
- 5 (9) The department of human services on prospective
6 adoptive parents as established under section 346-
7 19.7;
- 8 (10) The department of human services or its designee on
9 applicants to operate child care facilities, household
10 members of the applicant, prospective employees of the
11 applicant, and new employees and household members of
12 the provider after registration or licensure as
13 provided by section 346-154, and persons subject to
14 section 346-152.5;
- 15 (11) The department of human services on persons exempt
16 pursuant to section 346-152 to be eligible to provide
17 child care and receive child care subsidies as
18 provided by section 346-152.5;
- 19 (12) The department of health on operators and employees of
20 home and community-based case management agencies and
21 operators and other adults, except for adults in care,



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1 residing in community care foster family homes as
2 provided by section 321-15.2;

3 (13) The department of human services on staff members of
4 the Hawaii youth correctional facility as provided by
5 section 352-5.5;

6 (14) The department of human services on employees,
7 prospective employees, and volunteers of contracted
8 providers and subcontractors in positions that place
9 them in close proximity to youth when providing
10 services on behalf of the office or the Hawaii youth
11 correctional facility as provided by section 352D-4.3;

12 (15) The judiciary on employees and applicants at detention
13 and shelter facilities as provided by section 571-34;

14 (16) The department of corrections and rehabilitation on
15 employees and prospective employees, volunteers,
16 contract service providers, and subcontract service
17 providers who are directly involved with the treatment
18 and care of, or directly involved in providing
19 correctional programs and service to, persons
20 committed to a correctional facility, or placed in
21 close proximity to persons committed when providing



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1 services on behalf of the department or the
2 correctional facility, as provided by section 353-1.5
3 and the department of law enforcement on employees and
4 prospective employees whose duties involve or may
5 involve the exercise of police powers including the
6 power of arrest as provided by section 353C-5;

7 (17) The board of private detectives and guards on
8 applicants for private detective or private guard
9 licensure as provided by section 463-9;

10 (18) Private schools and designated organizations on
11 employees and prospective employees who may be in
12 positions that necessitate close proximity to
13 children; provided that private schools and designated
14 organizations receive only indications of the states
15 from which the national criminal history record
16 information was provided pursuant to section 302C-1;

17 (19) The public library system on employees and prospective
18 employees whose positions place them in close
19 proximity to children as provided by section 302A-
20 601.5;



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- 1 (20) The State or any of its branches, political
2 subdivisions, or agencies on applicants and employees
3 holding a position that has the same type of contact
4 with children, vulnerable adults, or persons committed
5 to a correctional facility as other public employees
6 who hold positions that are authorized by law to
7 require criminal history record checks as a condition
8 of employment as provided by section 78-2.7;
- 9 (21) The department of health on licensed adult day care
10 center operators, employees, new employees,
11 subcontracted service providers and their employees,
12 and adult volunteers as provided by section 321-15.2;
- 13 (22) The department of human services on purchase of
14 service contracted and subcontracted service providers
15 and their employees and volunteers, as provided by
16 sections 346-2.5 and 346-97;
- 17 (23) The department of human services on foster grandparent
18 program, senior companion program, and respite
19 companion program participants as provided by section
20 346-97;



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- 1 (24) The department of human services on contracted and
2 subcontracted service providers and their current and
3 prospective employees that provide home and community-
4 based services under section 1915(c) of the Social
5 Security Act, title 42 United States Code section
6 1396n(c), or under any other applicable section or
7 sections of the Social Security Act for the purposes
8 of providing home and community-based services, as
9 provided by section 346-97;
- 10 (25) The department of commerce and consumer affairs on
11 proposed directors and executive officers of a bank,
12 savings bank, savings and loan association, trust
13 company, and depository financial services loan
14 company as provided by section 412:3-201;
- 15 (26) The department of commerce and consumer affairs on
16 proposed directors and executive officers of a
17 nondepository financial services loan company as
18 provided by section 412:3-301;
- 19 (27) The department of commerce and consumer affairs on the
20 original chartering applicants and proposed executive



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- 1 officers of a credit union as provided by section
2 412:10-103;
- 3 (28) The department of commerce and consumer affairs on:
- 4 (A) Each principal of every non-corporate applicant
5 for a money transmitter license;
- 6 (B) Each person who upon approval of an application
7 by a corporate applicant for a money transmitter
8 license will be a principal of the licensee; and
- 9 (C) Each person who upon approval of an application
10 requesting approval of a proposed change in
11 control of licensee will be a principal of the
12 licensee,
- 13 as provided by sections 489D-9 and 489D-15;
- 14 (29) The department of commerce and consumer affairs on
15 applicants for licensure and persons licensed under
16 title 24;
- 17 (30) The Hawaii health systems corporation on:
- 18 (A) Employees;
- 19 (B) Applicants seeking employment;
- 20 (C) Current or prospective members of the corporation
21 board or regional system board; or



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- 1 (D) Current or prospective volunteers, providers, or
2 contractors,
3 in any of the corporation's health facilities as
4 provided by section 323F-5.5;
- 5 (31) The department of commerce and consumer affairs on:
- 6 (A) An applicant for a mortgage loan originator
7 license, or license renewal; and
- 8 (B) Each control person, executive officer, director,
9 general partner, and managing member of an
10 applicant for a mortgage loan originator company
11 license or license renewal,
12 as provided by chapter 454F;
- 13 (32) The state public charter school commission or public
14 charter schools on employees, teacher trainees,
15 prospective employees, and prospective teacher
16 trainees in any public charter school for any position
17 that places them in close proximity to children, as
18 provided in section 302D-33;
- 19 (33) The counties on prospective employees who work with
20 children, vulnerable adults, or senior citizens in
21 community-based programs;



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- 1 (34) The counties on prospective employees for fire
2 department positions that involve contact with
3 children or vulnerable adults;
- 4 (35) The counties on prospective employees for emergency
5 medical services positions that involve contact with
6 children or vulnerable adults;
- 7 (36) The counties on prospective employees for emergency
8 management positions and community volunteers whose
9 responsibilities involve planning and executing
10 homeland security measures including viewing,
11 handling, and engaging in law enforcement or
12 classified meetings and assisting vulnerable citizens
13 during emergencies or crises;
- 14 (37) The State and counties on employees, prospective
15 employees, volunteers, and contractors whose position
16 responsibilities require unescorted access to secured
17 areas and equipment related to a traffic management
18 center;
- 19 (38) The State and counties on employees and prospective
20 employees whose positions involve the handling or use
21 of firearms for other than law enforcement purposes;



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- 1 (39) The State and counties on current and prospective
2 systems analysts and others involved in an agency's
3 information technology operation whose position
4 responsibilities provide them with access to
5 proprietary, confidential, or sensitive information;
- 6 (40) The department of commerce and consumer affairs on:
- 7 (A) Applicants for real estate appraiser licensure or
8 certification as provided by chapter 466K;
- 9 (B) Each person who owns more than ten per cent of an
10 appraisal management company who is applying for
11 registration as an appraisal management company,
12 as provided by section 466M-7; and
- 13 (C) Each of the controlling persons of an applicant
14 for registration as an appraisal management
15 company, as provided by section 466M-7;
- 16 (41) The department of health or its designee on:
- 17 (A) Individual applicants or individuals acting on
18 behalf of applying entities for hemp processor
19 permits as provided under section 328G-2; and
- 20 (B) All license applicants, licensees, employees,
21 contractors, and prospective employees of medical



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- 1 cannabis dispensaries, and individuals permitted
2 to enter and remain in medical cannabis
3 dispensary facilities as provided under sections
4 329D-15(a)(4) and 329D-16(a)(3);
- 5 (42) The department of commerce and consumer affairs on
6 applicants for nurse licensure or license renewal,
7 reactivation, or restoration as provided by sections
8 457-7, 457-8, 457-8.5, and 457-9;
- 9 (43) The county police departments on applicants for
10 permits to acquire firearms pursuant to section 134-2,
11 on individuals registering their firearms pursuant to
12 section 134-3, and on applicants for new or renewed
13 licenses to carry a pistol or revolver and ammunition
14 pursuant to section 134-9;
- 15 (44) The department of commerce and consumer affairs on:
- 16 (A) Each of the controlling persons of the applicant
17 for licensure as an escrow depository, and each
18 of the officers, directors, and principals who
19 will be in charge of the escrow depository's
20 activities upon licensure; and



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- 1 (B) Each of the controlling persons of an applicant
2 for proposed change in control of an escrow
3 depository licensee, and each of the officers,
4 directors, and principals who will be in charge
5 of the licensee's activities upon approval of the
6 application,
7 as provided by chapter 449;
- 8 (45) The department of taxation on current or prospective
9 employees or contractors who have access to federal
10 tax information in order to comply with requirements
11 of federal law, regulation, or procedure, as provided
12 by section 231-1.6;
- 13 (46) The department of labor and industrial relations on
14 current or prospective employees or contractors who
15 have access to federal tax information in order to
16 comply with requirements of federal law, regulation,
17 or procedure, as provided by section 383-110;
- 18 (47) The department of human services on current or
19 prospective employees or contractors who have access
20 to federal tax information in order to comply with
21 requirements of federal law, regulation, or procedure,



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- 1 and on current or prospective employees, volunteers,
2 contractors, or contractors' employees or volunteers,
3 subcontractors, or subcontractors' employees or
4 volunteers, whose position places or would place them
5 in close proximity to minors, young adults, or
6 vulnerable adults, as provided by section 346-2.5;
- 7 (48) The child support enforcement agency on current or
8 prospective employees, or contractors who have access
9 to federal tax information in order to comply with
10 federal law, regulation, or procedure, as provided by
11 section 576D-11.5;
- 12 (49) The department of the attorney general on current or
13 prospective employees or employees or agents of
14 contractors who have access to federal tax information
15 to comply with requirements of federal law,
16 regulation, or procedure, as provided by section 28-
17 17;
- 18 (50) The department of commerce and consumer affairs on
19 each control person, executive officer, director,
20 general partner, and managing member of an installment



S.B. NO. 1556

1 loan licensee, or an applicant for an installment loan
2 license, as provided in chapter 480J;

3 (51) The university of Hawaii on current and prospective
4 employees and contractors whose duties include
5 ensuring the security of campus facilities and
6 persons; [~~and~~]

7 (52) The office of information practices or its designee on
8 current or prospective volunteer trusted public
9 representatives as provided in section 92-A; and

10 [~~(52)~~] (53) Any other organization, entity, or the State,
11 its branches, political subdivisions, or agencies as
12 may be authorized by state law."

13 SECTION 4. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2025-2026 and
16 the same sum or so much thereof as may be necessary for fiscal
17 year 2026-2027 for the establishment, implementation, and
18 administration of the trusted public representatives program
19 under this Act.

20 The sums appropriated shall be expended by the office of
21 information practices for the purposes of this Act.



S.B. NO. 1556

1 SECTION 5. In codifying the new section added by section 2
 2 and referenced in section 3 of this Act, the revisor of statutes
 3 shall substitute appropriate section numbers for the letters
 4 used in designating the new section in this Act.

5 SECTION 6. Statutory material to be repealed is bracketed
 6 and stricken. New statutory material is underscored.

7 SECTION 7. This Act shall take effect on July 1, 2025.

8

INTRODUCED BY: *[Signature]*



S.B. NO. 1556

Report Title:

OIP; Public Agency Meetings; Sunshine Law; Executive Meetings;
Trusted Public Representatives; Program; Rules; Report;
Appropriations

Description:

Establishes a Trusted Public Representative Program within the Office of Information Practices under which the Office assigns a volunteer Trusted Public Representative trained in the requirements of the Sunshine Law and observes public agency meetings closed to the public. Allows the Office of Information Practices to conduct background checks of current and prospective Trusted Public Representatives. Requires annual reports to the Legislature. Appropriates funds.

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





SBI617

Measure Title: RELATING TO PUBLIC MEETINGS.

Report Title: Meeting Times; Boards; Limitations

Description: Prohibits boards from beginning or continuing meetings after 9:00 p.m., excluding county council meetings.

Companion: [HB1453](#)

Package: None

Current Referral: GVO, JDC

Introducer(s): CHANG

Sort by		Status Text
Date		
1/27/2025	S	Referred to GVO, JDC.
1/27/2025	S	Passed First Reading.
1/23/2025	S	Introduced.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SBI617

THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 1617

JAN 23 2025

A BILL FOR AN ACT

RELATING TO PUBLIC MEETINGS.

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

1 SECTION 1. The legislature finds that public meetings
2 should be conducted at times that are accessible to the general
3 public. The legislature further finds that public meetings
4 conducted after 9:00 p.m. disadvantage those with work, school,
5 or caregiving obligations the following day.

6 Accordingly, the purpose of this Act is to prohibit boards
7 from beginning or continuing meetings after 9:00 p.m., excluding
8 county council meetings.

9 SECTION 2. Chapter 92, Hawaii Revised Statutes, is amended
10 by adding a new section to be appropriately designated and to
11 read as follows:

12 "§92- **Meeting times; limitations.** No board shall begin
13 or continue a meeting after 9:00 p.m.; provided that this
14 section shall not apply to county council meetings."

15 SECTION 3. New statutory material is underscored.

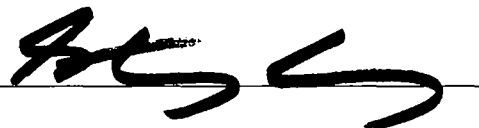
16 SECTION 4. This Act shall take effect upon its approval.

17



S.B. NO. 1617

INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'ASL', written over a horizontal line.



S.B. NO. 1617

Report Title:

Meeting Times; Boards; Limitations

Description:

Prohibits boards from beginning or continuing meetings after 9:00 p.m., excluding county council meetings.

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





SBI651

Measure Title: RELATING TO PUBLIC MEETINGS.

Report Title: Public Meetings; Board Packets; Notice

Description: Requires board packets to be posted two or more full business days before a public meeting.

Companion:

Package: None

Current Referral: GVO, JDC

Introducer(s): RHOADS

<u>Sort by</u>		Status Text
<u>Date</u>		
1/27/2025	S	Referred to GVO, JDC.
1/27/2025	S	Passed First Reading.
1/23/2025	S	Introduced.

S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

SBI651

JAN 23 2025

A BILL FOR AN ACT

RELATING TO PUBLIC MEETINGS.

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

1 SECTION 1. The legislature finds that the required notice
2 period for posting board packets before public meetings is not
3 being implemented as the legislature intended. The legislature
4 established and amended the requirement to post board packets no
5 later than two business days before a public meeting to give the
6 public ample time to review the board packet.

7 However, the legislature finds that some agencies interpret
8 the current law to mean a board packet can be posted at any time
9 during the second business day before the public meeting. These
10 agencies post board packets late in the evening, effectively
11 reducing the time the public is able to review the board packet.
12 The legislature finds this practice contrary to the original
13 intent of the notice period.

14 Accordingly, the purpose of this Act is to close the legal
15 loophole being exploited by requiring board packets to be posted
16 two or more full business days before a public meeting.



S.B. NO. 1651

1 SECTION 2. Section 92-7.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§92-7.5 Board packet; filing; public inspection; notice.**

4 At the time the board packet is distributed to the board
5 members, but [~~no later than~~] two full business days or more
6 before the meeting, the board shall also make the board packet
7 available for public inspection in the board's office; provided
8 that nothing in this section shall require creation of a board
9 packet; provided further that nothing in this section shall
10 prohibit the distribution of public testimony to board members
11 before the meeting. The board shall provide notice to persons
12 requesting notification of meetings pursuant to section 92-7(e)
13 [~~that includes~~] at the time the board packet is distributed to
14 the board members, but at least two full business days or more
15 before the meeting. The notice shall include a list of the
16 documents that were compiled by the board and distributed to the
17 board members before a meeting for use at that meeting and that
18 the board packet is available for inspection in the board's
19 office and shall provide reasonably prompt access to the board
20 packet to any person upon request. The board is not required to
21 mail board packets. As soon as practicable, the board shall



S.B. NO. 1651

1 accommodate requests for electronic access to the board packet
2 and shall post the board packet on its website.

3 For purposes of this section:

4 "Board packet" means documents that are compiled by the
5 board and distributed to board members before a meeting for use
6 at that meeting, to the extent the documents are public under
7 chapter 92F; provided that this section shall not require
8 disclosure of executive session minutes, license applications,
9 or other records for which the board cannot reasonably complete
10 its redaction of nonpublic information in the time available
11 before the public inspection required by this section.

12 "Business day" shall have the same meaning as in section
13 11-1."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17

INTRODUCED BY:

Kal Abdul



S.B. NO. 1651

Report Title:

Public Meetings; Board Packets; Notice

Description:

Requires board packets to be posted two or more full business days before a public meeting.

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





GM624

Measure Title: Submitting for consideration and confirmation to the University of Hawai'i Board of Regents, Gubernatorial Nominee, JOSHUA FAUMUINA, for a term to expire 06-30-2026.

Report Title: University of Hawai'i Board of Regents

Description:

Companion:

Package:

Current Referral: HRE

Introducer(s):

Sort by Date		Status Text
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1/23/2025	S	Referred to HRE.
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1/23/2025	S	Received.
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S = Senate | H = House | D = Data Systems | \$ = Appropriation measure | ConAm = Constitutional Amendment

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GM624

**GOV. MSG. NO. 624**

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

January 15, 2025

The Honorable Ronald D. Kouchi, President
and Members of the Senate
Thirty-Third Legislature
Hawai'i State Capitol, Room 409
Honolulu, Hawai'i 96813

Dear President Kouchi and Members of the Senate:

In accordance with the provisions of Article V, Section 6 of the Hawai'i State Constitution, I have the honor to submit herewith for your consideration and confirmation the following nomination:

Joshua Faumuina
University of Hawai'i Board of Regents
Expiration Date: June 30, 2026

Sincerely,

Josh Green, M.D.

Josh Green, M.D.
Governor, State of Hawai'i