

ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAI‘I AT MĀNOA
2465 Campus Road, Campus Center 211A
Honolulu HI 96822

Senate Resolution 12-16

A RESOLUTION

**IN SUPPORT OF FINANCIAL DISCLOSURES TO PROMOTE BETTER
TRANSPARENCY AND GOVERNANCE AT THE UNIVERSITY OF HAWAI‘I**

BE IT ENACTED BY THE UNDERGRADUATE SENATE:

- WHEREAS*, the Associated Students of the University of Hawai‘i at Mānoa (ASUH) Senate is the elected body representing approximately 14,000 full-time classified undergraduate students; and,
- WHEREAS*, the affairs of the University of Hawai‘i fall under the general management and control of the Board of Regents, pursuant to Article X, Hawai‘i State Constitution, and Chapter 304A, Hawai‘i Revised Statutes; and,
- WHEREAS*, the board formulates policy and exercises control over the university through its executive officer, the university president, and the board has exclusive jurisdiction over the internal structure, management and operation of the university; and,
- WHEREAS*, the board is composed of 15 regents, who volunteer to serve without compensation, and are nominated by the Regents Candidate Advisory Council, appointed by the governor and confirmed by the legislature; and,¹
- WHEREAS*, on January 17th, 2014, Senator Shimabukuro of the Hawai‘i State Legislature introduced SB 2682 requiring financial disclosure statements of members of certain statutorily established boards and commissions to be made available for public inspection and duplication to the state Ethics Commission; and,²
- WHEREAS*, SB 2682 amended Section 84-17 of the Hawai‘i Revised Statutes to include financial disclosures for additional state personnel, including the university’s Board of Regents, in order to identify potential conflicts of interest by making the information available to the eyes of the public; and,³
- WHEREAS*, members of the University of Hawai‘i who are currently subjected under this law are the president, the vice presidents, the assistant vice presidents, the chancellors,

¹ <https://www.hawaii.edu/offices/bor/>

² http://www.capitol.hawaii.gov/session2014/bills/SB2682_CD1_.pdf

³ <http://ethics.hawaii.gov/wp-content/uploads/2013/08/Chapter-84.pdf>

members of the board of regents, and the provosts of the University of Hawai‘i; and,⁴

WHEREAS, state personnel affected by SB 2682 are required to file an annual Disclosure of Financial Interests with the Hawai‘i State Ethics Commission by submitting a “long form” financial disclosure statement (Form D-201) which includes the following items: income for services rendered for preceding calendar year; ownership or beneficial interests in businesses; transfer of ownership or beneficial interests in businesses; creditors; officerships, directorships, trusteeships; interests in real property held, excluding personal residence(s); interests in real property acquired, excluding personal residence(s); interests in real property transferred, excluding personal residence(s); clients personally represented before state agencies; and creditor interests in insolvent businesses; and,⁵

WHEREAS, after the passage of SB 2682, four Board of Regents members, along with other state board members, abruptly resigned for reasons mainly regarding their individual privacy concerns; and.⁶

WHEREAS, the financial disclosure forms do not disclose exact salaries and sensitive personal information, but do provide broad ranges, along with stock holdings and board affiliations; and,

WHEREAS, on January 2016, Representative Choy and Senator Taniguchi of the Hawai‘i State Legislature have introduced HB 1532⁷ and SB 2080⁸ to exempt members of the Board of Regents from having to disclose their financial interests to the public; and,

WHEREAS, critics of the proposed bills believe exempting certain governmental organizations from having to submit their financial disclosure statements would be problematic for the case of ethics and transparency in government; and,

BE IT RESOLVED, the ASUH believes that a fundamental step in harnessing good governance in any organization starts with promoting transparency and accountability to all stakeholders by disclosing indications of potential conflicts of interest that are pertinent to various decisions affecting the organization as a whole; and,

BE IT RESOLVED, the ASUH appreciates the members of the Board of Regents for their continued service in making the University of Hawai‘i a better place of learning, the ASUH opposes both HB 1532 and SB 2080 on the basis that all organizational bodies of the university should be held to the highest ethical standards regardless of compensation for positions; and,

⁴ <http://ethics.hawaii.gov/wp-content/uploads/2013/08/Chapter-84.pdf>

⁵ <http://ethics.hawaii.gov/wp-content/uploads/2015/05/D-201-LONG-PAPER.pdf>

⁶ <http://www.civilbeat.com/2014/07/wanted-new-university-of-hawaii-regents/>

⁷ http://www.capitol.hawaii.gov/session2016/bills/HB1532_.pdf

⁸ http://www.capitol.hawaii.gov/session2016/bills/SB2080_.pdf

NOW, THEREFORE, BE IT FINALLY RESOLVED, that copies of this resolution shall be sent to Hawai‘i State Governor David Ige, Hawai‘i State Ethics Commission Chairperson Susan DeGuzman, Senate Committee on Higher Education and the Arts Chairperson Brian Taniguchi, House Committee on Higher Education Chairperson Isaac Choy, Senator Maile Shimabukuro, the University of Hawai‘i President David Lassner, the UH Board of Regents Chair Randy Moore and members, UH Mānoa Chancellor Bley-Vroman, Common Cause Hawai‘i Executive Director Carmille Lim, Grassroot Institute of Hawai‘i President Keli‘i Akina, the Honolulu Star Advertiser, Civil Beat, and the Ka Leo o Hawai‘i.

ROLL CALL VOTE FOR SENATE RESOLUTION 12-16

Aye(s): Vice President Kamoshida, Treasurer Takara, Secretary Tagaban, Senator-at-Larges Callihan, Dela Cruz, Mitsui, Nishihara, Senators Barrow, Baxa, Bui, Caramat, Chen, Cheung, Enriquez, Garma, Hinshaw, Ikeda, Kim, Lao, Lawi-an, Lopez, McLaury, Omokawa, Rafael, Ryan, Sevilla, Simeroth, Tacey, Turner, Willis **[30]**

Naye(s): **[0]**

Abstention(s): **[0]**

Introducer: Sean Mitsui, Senator-at-Large