



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Judiciary and Labor
February 29, 2016 at 10:05 a.m.

by
Vassilis L. Syrmos
Vice President for Research and Innovation
University of Hawai'i

SB 2940 SD1 – RELATING TO TECHNOLOGY TRANSFER AT THE UNIVERSITY OF HAWAII

Chair Keith-Agaran, Vice Chair Shimabukuro, and members of the Committee:

Thank you for this opportunity to testify in support of the intent of this measure.

The University of Hawai'i (UH) believes there is consensus that the State Ethics Code needs to be adapted to reflect current-day practices of technology transfer at public universities. While there may be agreement with intent, there are reasonable disagreements on how the statutory language effectuating that intent should be written.

UH understands the State Attorney General is concerned that Senate Draft 1 of this bill raises constitutional concerns because SD 1 purports to exempt certain employees from the State Ethics Code. This measure as originally introduced, however, may comport with constitutional requirements because it specifies how technology transfer activities are to be treated under the Ethics Code.

To mitigate the constitutional concerns, UH recommends that SB 2940 SD 1 be reported out as Senate Draft 2, with a reversion to the language as originally introduced.

UH also suggests that the operative statutory text for University-sponsored technology transfer activity be added to Chapter 304A (governing the University, in general), and not as an amendment to Chapter 84 (State Ethics Code).

UH further suggest amending the definition of technology transfer to clarify that the primary goals of successful technology transfer include practical benefits to society, innovation and introduction of new products, and diversification of workforce opportunities. Personal financial gain to the inventor may be a consequence of successful commercialization of research, but this consequence is not the purpose driving the UH's sponsorship of technology transfer.

The University of Hawai'i is in discussion with staff of the State Ethics Commission to craft acceptable language.