

---

---

# A BILL FOR AN ACT

RELATING TO THE BOARD OF EDUCATION.

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

1           SECTION 1. Section 13-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§13-1 Board members; number. [~~(a)~~] The board of  
4 education shall consist of [~~thirteen~~] seventeen voting members  
5 who shall be elected by the registered voters of [~~two at large~~]  
6 the respective school board districts [~~as follows:~~

7           ~~First school board district: the island of Oahu, comprised~~  
8 ~~of the 11th through the 48th and a portion of the 49th (that~~  
9 ~~portion found on the island of Oahu) representative districts,~~  
10 ~~and the~~

11           ~~Second school board district: the islands of Hawaii, Maui,~~  
12 ~~Lanai, Molokai, Kahoolawe, Kauai, and Niihau, comprised of the~~  
13 ~~1st through the 10th, a portion of the 49th (that portion found~~  
14 ~~on the island of Kauai), and the 50th and 51st representative~~  
15 ~~districts].~~ Each school board district shall be comprised of  
16 three state house of representatives districts. A voting member  
17 shall be a resident of the school board district that the member  
18 represents. The chief election officer shall designate the



1 representative districts that comprise the respective school  
2 board districts.

3 ~~[(b) Ten members shall be elected at large from the first~~  
4 ~~school board district. Of the ten members elected at large from~~  
5 ~~that district, one shall be a resident of the third departmental~~  
6 ~~school district (Honolulu), one shall be a resident of the~~  
7 ~~fourth departmental school district (Central Oahu), one shall be~~  
8 ~~a resident of the fifth departmental school district (Leeward~~  
9 ~~Oahu), and one shall be a resident of the sixth departmental~~  
10 ~~school district (Windward Oahu).~~

11 ~~(c) Three members shall be elected at large from the~~  
12 ~~second school board district. Of the three members elected at~~  
13 ~~large from that district, one shall be a resident of the first~~  
14 ~~departmental school district (Hawaii), one shall be a resident~~  
15 ~~of the second departmental school district (Maui), and one shall~~  
16 ~~be a resident of the seventh departmental school district~~  
17 ~~(Kauai).~~

18 ~~(d) The departmental school districts shall be as follows:~~

19 ~~First departmental school district (Hawaii): the island of~~  
20 ~~Hawaii comprised of the 1st through the 5th and a portion of the~~  
21 ~~6th (that portion found on the island of Hawaii) representative~~  
22 ~~districts;~~



1 ~~Second departmental school district (Maui): the islands of~~  
2 ~~Maui, Molokai (including the county of Kalawao), Lanai, and~~  
3 ~~Kahooolawe comprised of a portion of the 6th (that portion found~~  
4 ~~on the island of Maui) and the 7th through the 10th~~  
5 ~~representative districts;~~

6 ~~Third departmental school district (Honolulu): that~~  
7 ~~portion of the island of Oahu comprised of the 21st through the~~  
8 ~~41st representative districts;~~

9 ~~Fourth departmental school district (Central Oahu): that~~  
10 ~~portion of the island of Oahu comprised of the 11th through the~~  
11 ~~14th and the 45th representative districts;~~

12 ~~Fifth departmental school district (Leeward Oahu): that~~  
13 ~~portion of the island of Oahu comprised of the 42nd through the~~  
14 ~~44th, the 46th through the 48th and a portion of the 49th (that~~  
15 ~~portion found on the island of Oahu) representative districts;~~

16 ~~Sixth departmental school district (Windward Oahu): that~~  
17 ~~portion of the island of Oahu comprised of the 15th through the~~  
18 ~~20th representative districts; and~~

19 ~~Seventh departmental school district (Kauai): the islands~~  
20 ~~of Kauai and Niihau comprised of a portion of the 49th (that~~  
21 ~~portion found on the island of Kauai) and the 50th and 51st~~  
22 ~~representative districts.] "~~



1 SECTION 2. Section 13-1.1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+] §13-1.1 [+] Reapportionment. Upon the implementation  
4 of a new apportionment plan, the chief election officer, by  
5 proclamation issued no later than the tenth day prior to the  
6 close of filing in elections, shall designate the representative  
7 districts that comprise the ~~[departmental school districts and~~  
8 ~~the] school board districts [described in section 13-1] to~~  
9 comply with the new districting scheme of such plan~~[, provided~~  
10 ~~that the departmental school districts designated shall cover~~  
11 ~~areas similar to those described in section 13-1]."~~

12 SECTION 3. Section 13-3, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "§13-3 Election of members. (a) Members of the board of  
15 education shall be nominated at a primary election and elected  
16 at the general election. Except as otherwise provided by this  
17 chapter, the candidates for the board of education shall be  
18 elected in the manner prescribed by this title.

19 (1) Nomination papers, preparation of. The chief election  
20 officer shall prepare nomination papers ~~[in such a~~  
21 ~~manner that a candidate desiring to file for election~~  
22 ~~to the board of education shall be able to specify~~



1 ~~whether the candidate is seeking a seat requiring~~  
2 ~~residency in a particular departmental school district~~  
3 ~~or a seat without such residency requirement.]~~

4 (2) Ballot. The school board ballot shall be prepared in  
5 such a manner as to afford every voter eligible to  
6 vote in a school board district race the opportunity  
7 to vote for each and every candidate seeking election  
8 from that school board district.

9 The school board ballot shall contain the names  
10 of all board candidates [~~arranged alphabetically in a~~  
11 ~~nonpartisan manner, provided that the names of~~  
12 ~~candidates seeking seats requiring residency in a~~  
13 ~~particular departmental school district shall be~~  
14 ~~grouped] arranged alphabetically in a nonpartisan  
15 manner according to [~~departmental~~] school [~~districts.~~]  
16 board district.~~

17 (3) Primary election. Two candidates receiving the most  
18 votes for each available seat shall be nominated for  
19 the general election. If, after the close of filing  
20 of nomination papers, there are only two qualified  
21 candidates for any seat requiring residency in a  
22 particular [~~departmental~~] school board district, the



1 chief election officer shall declare those two  
2 candidates duly nominated for the general election.  
3 The names of those two candidates shall not appear on  
4 the primary election ballot.

5 (4) General election. Each voter in the general election  
6 shall be entitled to receive the school board ballot  
7 and to vote for the number of seats available in the  
8 respective school board districts.

9 (b) In the event that there is only one qualified  
10 candidate for ~~[any]~~ the seat ~~[requiring residency]~~ in a  
11 particular ~~[departmental]~~ school board district, after the close  
12 of filing of nomination papers, the chief election officer shall  
13 declare such candidate to be duly and legally elected. ~~[In the~~  
14 ~~event that the number of qualified candidates for seats without~~  
15 ~~such residency requirement is equal to or less than the number~~  
16 ~~of such seats to be filled, after the close of filing of~~  
17 ~~nomination papers, the chief election officer shall declare such~~  
18 ~~candidates to be duly and legally elected.] "~~

19 SECTION 4. Section 13-4, Hawaii Revised Statutes, is  
20 amended by amending subsection (c) to read as follows:

21 "(c) Members of the board elected at the special election  
22 held in conjunction with the general election in ~~[1984]~~ 2010



1 shall be divided into two classes. There shall be [~~seven~~] nine  
2 members in the first class who shall hold office for a term of  
3 four years beginning with their election and ending on the day  
4 of the special election held in conjunction with the second  
5 general election after their election. The remaining members  
6 shall comprise the second class and shall hold office for a term  
7 of two years beginning with their election and ending on the day  
8 of the special election held in conjunction with the next  
9 general election after their election, and then members of the  
10 second class shall be elected to four year terms.

11 Membership in the first class shall consist of [~~three~~  
12 ~~members who are elected with the highest number of votes from~~  
13 ~~the first school board district as designated under section 13-~~  
14 ~~1, who are not required to reside in any particular departmental~~  
15 ~~school district and one member elected from each] the school  
16 board members from the odd-numbered [~~departmental~~] school board  
17 [~~district.~~] districts. Membership of the second class shall  
18 consist of the remaining elected school board members."~~

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

21 SECTION 6. This Act shall take effect upon its approval  
22 and upon ratification of a constitutional amendment that amends



1 the composition of the board of education to be comprised of  
2 seventeen members, each of whom represents a school board  
3 district that is comprised of three representative districts.  
4

INTRODUCED BY: Mark Hakashima

Ray Anderson

J. Ell.

John  
Grand  
Blair

Kal Brook  
W. Ag

Janet

JAN 22 2010





**Report Title:**

Board of Education

**Description:**

Increases the number of members on the board of education to seventeen. Amends law to provide that each school board district shall be comprised of three representative districts.

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

