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HOUSE OF REPRESENTATIVES
AMENDMENT TO: Senate Bill 2571, Senate Draft 2, House Draft 2

OFFERED BY: Representative Gene Ward *AW*

DATE: April 6th, 2010

SECTION 1. Senate Bill 2571, Senate Draft 2, House Draft 2, is amended by amending Section 1, to read as follows:

"SECTION 1. The purpose of this Act is to implement, upon its ratification, the constitutional amendments to Article X, Section 2 of the Hawaii Constitution, by requiring the members of the board of education to be nominated and, with the advice and consent of the senate, appointed by the governor."

SECTION 2. Senate Bill 2571, Senate Draft 2, House Draft 2, is further amended by amending Section 2, to read as follows:

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"SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§302A-A Board of education members; appointment; terms; quorum and meetings; compensation. (a) The board shall consist of eight members as follows:

- (1) Six voting members who shall represent and reside in the specified geographic areas as follows:
 - (A) One member from the county of Hawaii;
 - (B) One member from the county of Maui;
 - (C) One member from the county of Kauai; and
 - (D) Three members from the city and county of Honolulu;
- (2) One voting member who shall be designated by the governor to serve as the chairperson of the board; and
- (3) One nonvoting member who shall be a public school student at the time of the initial appointment.

The members shall be appointed by the governor, with the advice and consent of the senate, and may be removed by the governor.

Except as otherwise provided by law, state officers shall be eligible for appointment and membership.

(b) Except for the student member, the governor shall set the terms of those initially appointed under this section to each seat on the board as follows:

- (1) Two members shall serve two-year terms;
 - (2) Two members shall serve three-year terms; and
 - (3) Three members, including the chairperson of the board, shall serve four-year terms.
- (c) Except as provided for in subsection (d):
- (1) The term of each member shall be four years, except as provided for the initial appointment in subsection (b); and
 - (2) Members shall serve no more than two consecutive four-year terms; provided that the members who are initially appointed to terms of three years or less pursuant to subsection (b) may be reappointed to two ensuing, consecutive four-year terms. If a member is to be appointed to a second consecutive term of four years, the senate shall consider the question of whether to reconfirm the member at least one hundred twenty days prior to the expiration of a member's first four-year term; provided that if the senate is not in session prior to the one-hundred-twenty-day deadline by which the senate shall have considered the question of reconfirmation, the member shall continue to serve until the senate convenes for the next regular session or the next special session during

which the senate is authorized to consider the question of reconfirmation.

(d) The term of the student member shall be two years.

The student member may be reappointed for one additional consecutive term even though the member may no longer be a student at the time of reappointment; provided that the senate shall consider the question of whether to reconfirm the member at least one hundred twenty days prior to the expiration of the member's first term; provided further that if the senate is not in session prior to the one-hundred-twenty-day deadline by which the senate shall have considered the question of reconfirmation, the member shall continue to serve until the senate convenes for the next regular session or the next special session during which the senate is authorized to consider the question of reconfirmation.

(e) Every member may serve beyond the expiration date of the member's term of appointment until the member's successor has been appointed by the governor and confirmed by the senate in accordance with Article X, Section 2, of the Hawaii Constitution.

(f) The board shall select its own vice chairperson from its voting members, who shall serve as interim chairperson in the event the chairperson's seat becomes vacant, and until the

governor selects the appointee who shall serve as the chairperson of the board pursuant to subsection 302A-B(e).

(g) A majority of all the voting members to which the board is entitled shall constitute a quorum to conduct business. At any time the board has fewer than six voting members, three voting members of the board shall constitute a quorum to conduct business and to make any action of the board valid.

Notwithstanding chapter 92, from the convening of the legislature in regular session to adjournment sine die of each regular session, and during each special session of the legislature, the board may file any notice that specifies only legislation or legislation-related agenda items, no fewer than two calendar days before the meeting.

(h) The members of the board shall serve without pay but shall be entitled to their travel expenses within the state when attending meetings of the board or when actually engaged in business relating to the work of the board."