



NOTICE OF PROPOSED CONSTITUTIONAL AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII

During the Regular Session of 2010, Twenty-fifth Legislature, TWO (2) measures containing proposed constitutional amendments were adopted in conformance with the requirements of Article XVII, Section 3 of the Hawaii State Constitution.

H.B. No. 2376, H.D. 3, S.D. 2, C.D. 1

A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE BOARD OF EDUCATION.

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

SECTION 1. Article X, section 2, of the Hawaii Constitution is amended to read as follows:

"BOARD OF EDUCATION

Section 2. There shall be a board of education [~~composed of members who shall be elected in a nonpartisan manner by qualified voters, as provided by law, from two at-large school board districts. The first school board district shall be comprised of the island of Oahu and all other islands not specifically enumerated. The second school board district shall be comprised of the islands of Hawaii, Maui, Lanai, Molokai, Kahoolawe, Kauai and Niihau. Each at-large school board district shall be divided into departmental school districts, as may be provided by law. There shall be at least one member residing in each departmental school district. The Hawaii State Student Council shall select a public high school student to serve as a nonvoting member on the board of education.~~]. The governor shall nominate and, by and with the advice and consent of the senate, appoint the members of the board of education, as provided by law."

SECTION 2. Article XVIII of the Hawaii Constitution is amended by adding a new section to be appropriately designated and to read as follows:

"BOARD OF EDUCATION TRANSITION

Section . There shall be a period of transition from the elected to the appointed board of education, as provided by law."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the Board of Education be changed to a board appointed by the Governor, with the advice and consent of the Senate, as provided by law?"

SECTION 4. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 5. These amendments shall take effect upon compliance with article XVII, section 3, of the Hawaii Constitution.

S.B. No. 2807, S.D. 2, H.D. 2, C.D. 1

A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 6, OF THE HAWAII CONSTITUTION, RELATING TO THE TAX REBATE REQUIREMENT.

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

SECTION 1. The purpose of this Act is to propose an amendment to article VII, section 6, of the Hawaii Constitution to amend the requirement that excess general fund revenues be returned to taxpayers of the State as a tax refund or tax credit and allow the legislature to deposit these excess revenues into one or more funds, as provided by law, to serve as temporary sources of funding for the State in times of an emergency, economic downturn, or unforeseen reduction in revenue.

SECTION 2. Article VII, section 6, of the Hawaii Constitution is amended to read as follows:

"DISPOSITION OF EXCESS REVENUES

Section 6. Whenever the state general fund balance at the close of each of two successive fiscal years exceeds five percent of general fund revenues for each of the two fiscal years, the legislature in the next regular session shall provide for a tax refund or tax credit to the taxpayers of the State, or make a deposit into one or more funds, as provided by law, which shall serve as temporary supplemental sources of funding for the State in times of an emergency, economic downturn, or unforeseen reduction in revenue, as provided by law."

SECTION 3. The question printed on the ballot shall be as follows:

"Shall the legislature be provided with the choice, when the state general fund balance at the close of each of two successive fiscal years exceeds five per cent of the general fund revenues for each of the two fiscal years, to provide a tax refund or tax credit to the taxpayers of the State, or to make a deposit into one or more funds, as provided by law, which shall serve as temporary supplemental sources of funding for the State in times of an emergency, economic downturn, or unforeseen reduction in revenue?"

SECTION 4. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Hawaii Constitution.

PATRICIA MAU-SHIMIZU
Clerk of the House of Representatives

CAROL TANIGUCHI
Clerk of the Senate

(10/10, 10/17, 10/24, 10/31)