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- 1 (B) One member from the county of Maui;
- 2 (C) One member from the county of Kauai;
- 3 (D) One member from the city and county of Honolulu;
- 4 and
- 5 (E) Six at-large members; and
- 6 (2) One voting member who shall be a public high school
- 7 student at the time of that member's initial term of
- 8 appointment.

9 The members shall be appointed by the governor, with the advice
10 and consent of the senate. The governor may remove or suspend
11 for cause any member of the board after due notice and public
12 hearing.

13 (b) Pursuant to article XVIII, section 12, of the Hawaii
14 State Constitution, the period of transition from the elected to
15 the appointed board shall be as determined in section 20 of Act
16 _____ , Session Laws of Hawaii 2011.

17 (c) The members of the board shall serve without pay but
18 shall be entitled to reimbursement for necessary expenses,
19 including travel, board, and lodging expenses, while attending
20 meetings of the board or when actually engaged in business
21 relating to the work of the board.



1 (d) Pursuant to section 302A-1101(c), the board shall
2 invite the senior military commander in Hawaii to appoint a
3 nonvoting military representative to the board.

4 **§302A-B Board of education; eligibility.** Except as
5 otherwise provided by law, state officers shall be eligible for
6 appointment and membership to the board of education. No person
7 shall be eligible for appointment to the board:

8 (1) Under section 302A-A(a) (1) (A) to (a) (1) (D) unless the
9 person is a resident and registered voter of the
10 county from which the person is to be appointed; or

11 (2) Under section 302A-A(a) (1) (E) unless the person is a
12 resident and registered voter of the State.

13 **§302A-C Board of education; terms.** (a) Except for the
14 student member, the governor shall set the terms of members
15 initially appointed to the board under section 20 of Act _____,
16 Session Laws of Hawaii 2011, as follows:

- 17 (1) Two members shall serve one-year terms;
18 (2) Three members shall serve two-year terms;
19 (3) Two members shall serve three-year terms; and
20 (4) Three members shall serve four-year terms.
21 (b) Except for the student member:



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- 1 (1) The term of each member shall be four years, except as
2 provided for the initial appointment in subsection
3 (a); and
- 4 (2) Members shall serve no more than two consecutive four-
5 year terms; provided that the members who are
6 initially appointed to terms of three years or less
7 pursuant to subsection (a) may be reappointed to two
8 ensuing consecutive four-year terms. If a member is
9 to be appointed to a second or subsequent consecutive
10 term, the senate shall consider the question of
11 whether to reconfirm the member at least one hundred
12 twenty days prior to the expiration of the member's
13 immediately preceding term; provided that if the
14 senate is not in session after the member's
15 reappointment and prior to the one-hundred-twenty-day
16 deadline by which the senate shall have considered the
17 question of reconfirmation, the member shall continue
18 to serve until the senate takes final action on the
19 reconfirmation when it convenes for the next regular
20 session or the next special session during which the
21 senate is authorized to consider the question of
22 reconfirmation.



1 (c) The term of the student member shall be one year. The
2 student member may be reappointed for one additional consecutive
3 term even though the member is no longer a student at the time
4 of reappointment; provided that the senate shall consider the
5 question of whether to reconfirm the member at least one hundred
6 twenty days prior to the expiration of the member's first term;
7 provided further that if the senate is not in session after the
8 member's reappointment and prior to the one-hundred-twenty-day
9 deadline by which the senate shall have considered the question
10 of reconfirmation, the member shall continue to serve until the
11 senate takes final action on the reconfirmation when it convenes
12 for the next regular session or the next special session during
13 which the senate is authorized to consider the question of
14 reconfirmation.

15 (d) Every member may serve beyond the expiration date of
16 the member's term of appointment until the member's successor
17 has been appointed by the governor and confirmed by the senate
18 in accordance with this section and section 302A-F.

19 **§302A-D Board of education; organization, quorum,**
20 **meetings.** (a) The board shall select a chairperson from among
21 its members. The board shall select a vice chairperson from
22 among its members, and the vice chairperson shall serve as



1 interim chairperson in the event the chairperson's seat becomes
2 vacant.

3 (b) A majority of all the members to which the board is
4 entitled shall constitute a quorum to conduct business. At any
5 time during which the board has fewer than seven members, five
6 members of the board shall constitute a quorum to conduct
7 business and the concurrence of five members shall be necessary
8 to make any action of the board valid.

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

15 **§302A-E Board of education; vacancies.** The governor shall
16 notify the senate in writing within ten days of:

17 (1) Removing a member of the board; or

18 (2) Receiving notification that a member of the board is
19 resigning or has died;

20 provided that any vacancy shall be filled by appointment by the
21 governor, with the advice and consent of the senate, in
22 accordance with sections 302A-A and 302A-F.



1 a specified district are allowed to cast a vote, the
2 winner shall be declared as follows:

3 (A) For each precinct in the affected district, an
4 election rate point shall be calculated by
5 dividing the total voter turnout in that precinct
6 by the total voter turnout in the district. For
7 the purpose of this subparagraph, the absentee
8 votes cast for the affected district shall be
9 treated as a precinct. The election rate point
10 shall be calculated by dividing the total
11 absentee votes cast for the affected district by
12 the total voter turnout in that district. All
13 election rate points shall be expressed as
14 decimal fractions rounded to the nearest hundred
15 thousandth[-];

16 (B) The candidate with the highest number of votes in
17 a precinct shall be allocated the election rate
18 point calculated under subparagraph (A) for that
19 precinct. In the event that two or more persons
20 are tied in receiving the highest number of votes
21 for that precinct, the election rate point shall



1 be equally apportioned among those candidates
2 involved in that precinct tie[-];

3 (C) After the election rate points calculated under
4 subparagraph (A) for all the precincts have been
5 allocated as provided under subparagraph (B), the
6 election rate points allocated to each candidate
7 shall be tallied and the candidate with the
8 highest election rate point total shall be
9 declared the winner[-]; and

10 (D) If there is a tie between two or more candidates
11 in the election rate point total, the candidate
12 who is allocated the highest election rate points
13 from the precinct with the largest voter turnout
14 shall be declared the winner[-]; and

15 (2) In the case of an election involving a federal office
16 or an elective office where the voters in the entire
17 State or in an entire county are allowed to cast a
18 vote, the winner shall be declared as follows:

19 (A) For each representative district in the State or
20 county, as the case may be, an election rate
21 point shall be calculated by dividing the total
22 voter turnout in that representative district by



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1 the total voter turnout in the state, county, or
2 federal office district, as the case may be;
3 provided that for purposes of this subparagraph:

4 (i) The absentee votes cast for a statewide,
5 countywide, or federal office shall be
6 treated as a separate representative
7 district and the election rate point shall
8 be calculated by dividing the total absentee
9 votes cast for the statewide, countywide, or
10 federal office by the total voter turnout in
11 the state, county, or federal office
12 district, as the case may be~~[]~~; and

13 (ii) The overseas votes cast for any election in
14 the State for a federal office shall be
15 treated as a separate representative
16 district and the election rate point shall
17 be calculated by dividing the total number
18 of overseas votes cast for the affected
19 federal office by the total voter turnout in
20 the affected federal office district. The
21 term "overseas votes" means those votes cast



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1 by absentee ballots for a presidential
2 election as provided in section 15-3.

3 All election rate points shall be expressed as
4 decimal fractions rounded to the nearest hundred
5 thousandth[-];

6 (B) The candidate with the highest number of votes in
7 a representative district shall be allocated the
8 election rate point calculated under subparagraph
9 (A) for that district. In the event that two or
10 more persons are tied in receiving the highest
11 number of votes for that district, the election
12 rate point shall be equally apportioned among
13 those candidates involved in that district
14 tie[-];

15 (C) After the election rate points calculated under
16 subparagraph (A) for all the precincts have been
17 allocated as prescribed under subparagraph (B),
18 the election rate points allocated to each
19 candidate shall be tallied and the candidate with
20 the election rate point total shall be declared
21 the winner[-]; and



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1 (D) If there is a tie between two or more candidates
2 in the election rate point total, the candidate
3 who is allocated the highest election rate points
4 from the representative district with the largest
5 voter turnout shall be declared the winner."

6 SECTION 4. Section 11-331, Hawaii Revised Statutes, is
7 amended by amending subsection (d) to read as follows:

8 "(d) For purposes of this part, whenever a report is
9 required to be filed with the commission, "filed" means that a
10 report shall be filed with the commission's electronic filing
11 system by the date and time specified for the filing of the
12 report by:

13 (1) The candidate or candidate committee of a candidate
14 who is seeking election to the:

- 15 (A) Office of governor;
- 16 (B) Office of lieutenant governor;
- 17 (C) Office of mayor;
- 18 (D) Office of prosecuting attorney;
- 19 (E) County council;
- 20 (F) Senate;
- 21 (G) House of representatives; or
- 22 (H) Office of Hawaiian affairs; or



1 [~~(I) Board of education; or~~]

2 (2) A noncandidate committee required to be registered
3 with the commission pursuant to section 11-323."

4 SECTION 5. Section 11-423, Hawaii Revised Statutes, is
5 amended by amending subsection (d) to read as follows:

6 "(d) From January 1 of the year of any primary, special,
7 or general election, the aggregate expenditures for each
8 election by a candidate who voluntarily agrees to limit campaign
9 expenditures, inclusive of all expenditures made or authorized
10 by the candidate alone, all treasurers, the candidate committee,
11 and noncandidate committees on the candidate's behalf, shall not
12 exceed the following amounts expressed, respectively multiplied
13 by the number of voters in the last preceding general election
14 registered to vote in each respective voting district:

15 (1) For the office of governor - \$2.50;

16 (2) For the office of lieutenant governor - \$1.40;

17 (3) For the office of mayor - \$2.00;

18 (4) For the offices of state senator, state
19 representative, and county council member - \$1.40; and

20 (5) For [~~the board of education and~~] all other offices -
21 20 cents."



1 SECTION 6. Section 11-425, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:

3 "(d) For [~~the board of education and~~] all other offices,
4 the maximum amount of public funds available to a candidate
5 shall not exceed \$100 in any election year."

6 SECTION 7. Section 12-5, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) Nomination papers for candidates for members of
9 Congress, governor, and lieutenant governor [~~, and the board of
10 education~~] shall be signed by not less than twenty-five
11 registered voters of the State or of the Congressional district
12 [~~or school board district~~] from which the candidates are running
13 in the case of candidates for the United States House of
14 Representatives [~~or for the board of education~~]."

15 SECTION 8. Section 26-35.5, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) For purposes of this section, "member" means any
18 person who is appointed, in accordance with the law, to serve on
19 a temporary or permanent state board, including members of the
20 board of education, the local school board of any charter school
21 established under chapter 302B, council, authority, committee,
22 or commission, established by law or elected to [~~the board of~~



1 education, ~~or~~] the board of trustees of the employees'
2 retirement system under section 88-24, or the corporation board
3 of the Hawaii health systems corporation under section 323F-3
4 and its regional system boards under section 323F-3.5; provided
5 that "member" shall not include any person elected to serve on a
6 board or commission in accordance with chapter 11 [~~other than a~~
7 ~~person elected to serve on the board of education~~]."

8 SECTION 9. Section 76-16, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The civil service to which this chapter applies shall
11 comprise all positions in the State now existing or hereafter
12 established and embrace all personal services performed for the
13 State, except the following:

14 (1) Commissioned and enlisted personnel of the Hawaii
15 national guard as such, and positions in the Hawaii
16 national guard that are required by state or federal
17 laws or regulations or orders of the national guard to
18 be filled from those commissioned or enlisted
19 personnel;

20 (2) Positions filled by persons employed by contract where
21 the director of human resources development has
22 certified that the service is special or unique or is



- 1 essential to the public interest and that, because of
2 circumstances surrounding its fulfillment, personnel
3 to perform the service cannot be obtained through
4 normal civil service recruitment procedures. Any such
5 contract may be for any period not exceeding one year;
- 6 (3) Positions that must be filled without delay to comply
7 with a court order or decree if the director
8 determines that recruitment through normal recruitment
9 civil service procedures would result in delay or
10 noncompliance, such as the Felix-Cayetano consent
11 decree;
- 12 (4) Positions filled by the legislature or by either house
13 or any committee thereof;
- 14 (5) Employees in the office of the governor and office of
15 the lieutenant governor, and household employees at
16 Washington Place;
- 17 (6) Positions filled by popular vote;
- 18 (7) Department heads, officers, and members of any board,
19 commission, or other state agency whose appointments
20 are made by the governor or are required by law to be
21 confirmed by the senate;



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- 1 (8) Judges, referees, receivers, masters, jurors, notaries
2 public, land court examiners, court commissioners, and
3 attorneys appointed by a state court for a special
4 temporary service;
- 5 (9) One bailiff for the chief justice of the supreme court
6 who shall have the powers and duties of a court
7 officer and bailiff under section 606-14; one
8 secretary or clerk for each justice of the supreme
9 court, each judge of the intermediate appellate court,
10 and each judge of the circuit court; one secretary for
11 the judicial council; one deputy administrative
12 director of the courts; three law clerks for the chief
13 justice of the supreme court, two law clerks for each
14 associate justice of the supreme court and each judge
15 of the intermediate appellate court, one law clerk for
16 each judge of the circuit court, two additional law
17 clerks for the civil administrative judge of the
18 circuit court of the first circuit, two additional law
19 clerks for the criminal administrative judge of the
20 circuit court of the first circuit, one additional law
21 clerk for the senior judge of the family court of the
22 first circuit, two additional law clerks for the civil



1 motions judge of the circuit court of the first
2 circuit, two additional law clerks for the criminal
3 motions judge of the circuit court of the first
4 circuit, and two law clerks for the administrative
5 judge of the district court of the first circuit; and
6 one private secretary for the administrative director
7 of the courts, the deputy administrative director of
8 the courts, each department head, each deputy or first
9 assistant, and each additional deputy, or assistant
10 deputy, or assistant defined in paragraph (16);

11 (10) First deputy and deputy attorneys general, the
12 administrative services manager of the department of
13 the attorney general, one secretary for the
14 administrative services manager, an administrator and
15 any support staff for the criminal and juvenile
16 justice resources coordination functions, and law
17 clerks;

18 (11) (A) Teachers, principals, vice-principals, complex
19 area superintendents, deputy and assistant
20 superintendents, other certificated personnel,
21 not more than twenty noncertificated



- 1 administrative, professional, and technical
2 personnel not engaged in instructional work;
- 3 (B) Effective July 1, 2003, teaching assistants,
4 educational assistants, bilingual/bicultural
5 school-home assistants, school psychologists,
6 psychological examiners, speech pathologists,
7 athletic health care trainers, alternative school
8 work study assistants, alternative school
9 educational/supportive services specialists,
10 alternative school project coordinators, and
11 communications aides in the department of
12 education;
- 13 (C) The special assistant to the state librarian and
14 one secretary for the special assistant to the
15 state librarian; and
- 16 (D) Members of the faculty of the University of
17 Hawaii, including research workers, extension
18 agents, personnel engaged in instructional work,
19 and administrative, professional, and technical
20 personnel of the university;
- 21 (12) Employees engaged in special, research, or
22 demonstration projects approved by the governor;



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- 1 (13) Positions filled by inmates, kokuas, patients of state
2 institutions, persons with severe physical or mental
3 handicaps participating in the work experience
4 training programs, and students and positions filled
5 through federally funded programs that provide
6 temporary public service employment such as the
7 federal Comprehensive Employment and Training Act of
8 1973;
- 9 (14) A custodian or guide at Iolani Palace, the Royal
10 Mausoleum, and Hulihee Palace;
- 11 (15) Positions filled by persons employed on a fee,
12 contract, or piecework basis, who may lawfully perform
13 their duties concurrently with their private business
14 or profession or other private employment and whose
15 duties require only a portion of their time, if it is
16 impracticable to ascertain or anticipate the portion
17 of time to be devoted to the service of the State;
- 18 (16) Positions of first deputies or first assistants of
19 each department head appointed under or in the manner
20 provided in article V, section 6, [~~Article V,~~] of the
21 [~~State Constitution,~~] state constitution; three
22 additional deputies or assistants either in charge of



1 the highways, harbors, and airports divisions or other
2 functions within the department of transportation as
3 may be assigned by the director of transportation,
4 with the approval of the governor; four additional
5 deputies in the department of health, each in charge
6 of one of the following: behavioral health,
7 environmental health, hospitals, and health resources
8 administration, including other functions within the
9 department as may be assigned by the director of
10 health, with the approval of the governor; an
11 administrative assistant to the state librarian; and
12 an administrative assistant to the superintendent of
13 education;

14 (17) Positions specifically exempted from this part by any
15 other law; provided that all of the positions defined
16 by paragraph (9) shall be included in the position
17 classification plan;

18 (18) Positions in the state foster grandparent program and
19 positions for temporary employment of senior citizens
20 in occupations in which there is a severe personnel
21 shortage or in special projects;



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- 1 (19) Household employees at the official residence of the
2 president of the University of Hawaii;
- 3 (20) Employees in the department of education engaged in
4 the supervision of students during meal periods in the
5 distribution, collection, and counting of meal
6 tickets, and in the cleaning of classrooms after
7 school hours on a less than half-time basis;
- 8 (21) Employees hired under the tenant hire program of the
9 Hawaii public housing authority; provided that not
10 more than twenty-six per cent of the authority's work
11 force in any housing project maintained or operated by
12 the authority shall be hired under the tenant hire
13 program;
- 14 (22) Positions of the federally funded expanded food and
15 nutrition program of the University of Hawaii that
16 require the hiring of nutrition program assistants who
17 live in the areas they serve;
- 18 (23) Positions filled by severely handicapped persons who
19 are certified by the state vocational rehabilitation
20 office that they are able to perform safely the duties
21 of the positions;



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- 1 (24) One public high school student to be [~~selected by the~~
2 ~~Hawaii state student council as a nonvoting member on~~
3 ~~the board of education as authorized by the State~~
4 ~~Constitution,~~] appointed by the governor, with the
5 advice and consent of the senate, as a voting member
6 on the board of education, pursuant to section 302A-A;
- 7 (25) Sheriff, first deputy sheriff, and second deputy
8 sheriff;
- 9 (26) A gender and other fairness coordinator hired by the
10 judiciary; and
- 11 (27) Positions in the Hawaii national guard youth and adult
12 education programs.

13 The director shall determine the applicability of this
14 section to specific positions.

15 Nothing in this section shall be deemed to affect the civil
16 service status of any incumbent as it existed on July 1, 1955."

17 SECTION 10. Section 84-17, Hawaii Revised Statutes, is
18 amended by amending subsection (d) to read as follows:

19 "(d) The financial disclosure statements of the following
20 persons shall be public records and available for inspection and
21 duplication:



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- 1 (1) The governor, the lieutenant governor, the members of
2 the legislature, candidates for and delegates to the
3 constitutional convention, [~~the members of the board~~
4 ~~of education,~~] the trustees of the office of Hawaiian
5 affairs, and candidates for state elective offices;
- 6 (2) The directors of the state departments and their
7 deputies, regardless of the titles by which the
8 foregoing persons are designated; provided that with
9 respect to the department of the attorney general, the
10 foregoing shall apply only to the attorney general and
11 the first deputy attorney general;
- 12 (3) The administrative director of the State;
- 13 (4) The president, the vice presidents, the assistant vice
14 presidents, the chancellors, and the provosts of the
15 University of Hawaii;
- 16 (5) The members of the board of education and the
17 superintendent, the deputy superintendent, the state
18 librarian, and the deputy state librarian of the
19 department of education;
- 20 (6) The administrative director and the deputy director of
21 the courts; and



1 (7) The administrator and the assistant administrator of
2 the office of Hawaiian affairs."

3 SECTION 11. Section 84-41, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[~~§~~84-41~~§~~] **Applicability of part.** This part applies to
6 legislators, [~~elected~~] members of the board of education,
7 trustees of the office of Hawaiian affairs, the governor, the
8 lieutenant governor, and executive department heads and
9 deputies. This part does not apply to any other officer or
10 employee of the State."

11 SECTION 12. Section 88-21, Hawaii Revised Statutes, is
12 amended by amending the definition of "elective officer" or
13 "elective official" to read as follows:

14 ""Elective officer" or "elective official": any person
15 elected to a public office or appointed to fill a vacancy of an
16 elective office, except as a delegate to a constitutional
17 convention [~~or member of the board of education~~], in accordance
18 with an election duly held in the State or counties under
19 chapter 11; provided that the person receives compensation, pay,
20 or salary for such office."

21 SECTION 13. Section 302A-1101, Hawaii Revised Statutes, is
22 amended by amending subsection (a) to read as follows:



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1 "(a) There shall be a principal executive department to be
2 known as the department of education, which shall be headed by
3 ~~[an elected]~~ a policy-making board to be known as the board of
4 education. The board shall have power in accordance with law to
5 formulate statewide educational policy, adopt student
6 performance standards and assessment models, monitor school
7 success, and ~~[to]~~ appoint the superintendent of education as the
8 chief executive officer of the public school system."

9 SECTION 14. Section 302A-1106.5, Hawaii Revised Statutes,
10 is amended to read as follows:

11 "~~[§]~~ **§302A-1106.5** ~~[§]~~ **Board of education; community**
12 **meetings.** The board shall hold not less than ~~[two]~~ one
13 community ~~[meetings]~~ meeting annually in each ~~[departmental~~
14 ~~school district]~~ county in addition to their regular meetings to
15 discuss and receive input from the community on public education
16 and public library issues. The board chairperson shall
17 designate board members to attend the community meetings. These
18 community meetings shall not be held for the purpose of
19 formulating educational policy. The community meetings shall be
20 exempt from sections 92-2.5, 92-7, 92-9, and 92-41~~[7]~~; provided
21 that the board shall give written public notice of each
22 community meeting. The meeting notice shall indicate the date,



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1 time, and place of the meeting, and shall be filed in the office
2 of the lieutenant governor and in the board's office for public
3 inspection six calendar days before the meeting. The notice
4 shall also be posted at the site of the meeting."

5 SECTION 15. Section 302A-1110, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "[+]§302A-1110[+] **Educational districts not applicable.**

8 The educational districts established by section 4-1 shall not
9 be applicable to, nor alter, the [~~school board or departmental~~
10 ~~school districts, established by section 13-1, or the~~] school
11 districts established for administrative purposes by the
12 department."

13 SECTION 16. Chapter 13, Hawaii Revised Statutes, is
14 repealed.

15 SECTION 17. Section 17-6, Hawaii Revised Statutes, is
16 repealed.

17 [~~§17-6 Board of education members.~~ (a) ~~The governor~~
18 ~~shall make an appointment to fill any vacancy in the membership~~
19 ~~of the board of education for the unexpired term of that vacancy~~
20 ~~whenever a vacancy occurs and the term of that vacancy ends at~~
21 ~~the time of the next succeeding general election.~~



1 ~~(b) In the case of a vacancy, the term of which does not~~
2 ~~end at the next succeeding general election.~~

3 ~~(1) If it occurs not later than on the sixtieth day prior~~
4 ~~to the next succeeding general election, the vacancy~~
5 ~~shall be filled for the unexpired term at the next~~
6 ~~succeeding general election. The chief election~~
7 ~~officer shall issue a proclamation designating the~~
8 ~~election for filling the vacancy. All candidates for~~
9 ~~the unexpired term shall file nomination papers not~~
10 ~~later than 4:30 p.m. on the fiftieth day prior to the~~
11 ~~general election (but if such day is a Saturday,~~
12 ~~Sunday, or holiday then not later than 4:30 p.m. on~~
13 ~~the first working day immediately preceding) and shall~~
14 ~~be elected in accordance with this title. Pending the~~
15 ~~election the governor shall make a temporary~~
16 ~~appointment to fill the vacancy and the person so~~
17 ~~appointed shall serve until the election of the person~~
18 ~~duly elected to fill such vacancy.~~

19 ~~(2) If it occurs after the sixtieth day prior to the next~~
20 ~~succeeding general election, the governor shall make~~
21 ~~an appointment to fill the vacancy for the unexpired~~
22 ~~term.~~



1 ~~(c) All appointments made by the governor under this~~
2 ~~section shall be made without consideration of the appointee's~~
3 ~~party affiliation or preference or nonpartisanship, however the~~
4 ~~persons so appointed shall meet the residency requirement~~
5 ~~specified in section 13-1."]~~

6 SECTION 18. Section 302A-1105, Hawaii Revised Statutes, is
7 repealed.

8 ~~["§302A-1105 Compensation; expenses. Board of education~~
9 ~~members shall be allowed:~~

- 10 ~~(1) Compensation at the rate of \$100 per day for each~~
11 ~~day's actual attendance at meetings;~~
12 ~~(2) Transportation fares between islands and abroad; and~~
13 ~~(3) Personal expenses at the rates specified by the board~~
14 ~~while attending board meetings or while on official~~
15 ~~business as authorized by the chairperson, when the~~
16 ~~board meetings or official business require a board~~
17 ~~member to leave the island upon which the board member~~
18 ~~resides."]~~

19 SECTION 19. Section 302A-1106, Hawaii Revised Statutes, is
20 repealed.

21 ~~["§302A-1106 Organization; quorum; meetings. (a) The~~
22 ~~board shall elect from its own membership a chairperson and a~~



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1 ~~vice chairperson. A majority of all members to which the board~~
2 ~~is entitled shall constitute a quorum to do business and the~~
3 ~~concurrence of a majority of all members to which the board is~~
4 ~~entitled shall be necessary to make any action of the board~~
5 ~~valid; provided that due notice shall have been given to all~~
6 ~~members of the board or a bona fide attempt shall have been made~~
7 ~~to give due notice to all members of the board to whom it was~~
8 ~~reasonably practicable to give due notice. Meetings shall be~~
9 ~~called and held, at the call of the chairperson or by a quorum,~~
10 ~~as often as may be necessary for the transaction of the~~
11 ~~department's business.~~

12 ~~(b) Chapter 92 notwithstanding, from the convening of the~~
13 ~~legislature in regular session to adjournment sine die of each~~
14 ~~regular session, and during each special session of the~~
15 ~~legislature, the board may file any notice that specifies only~~
16 ~~legislation or legislation related agenda items, no fewer than~~
17 ~~two calendar days before the meeting."]~~

PART IV

19 SECTION 20. Notwithstanding any law to the contrary, the
20 elected members of the board of education serving on the day of
21 the effective date of this Act shall continue to serve until the
22 appointment of no fewer than seven members of the board of



1 education pursuant to this Act, at which time all elected
2 members are discharged from office; provided that any vacancy in
3 an elected member's seat occurring between the effective date of
4 this Act and the discharge from office of all the elected
5 members of the board of education shall remain vacant until
6 filled by appointment by the governor, with the advice and
7 consent of the senate, pursuant to this Act; provided further
8 that the governor shall appoint all members of the board of
9 education no later than , 2011.

10 **PART V**

11 SECTION 21. The revisor of statutes shall insert the
12 number of this Act in the appropriate places in section 2 of
13 this Act.

14 SECTION 22. In codifying the new sections added by section
15 2 of this Act, the revisor of statutes shall substitute
16 appropriate section numbers for the letters used in designating
17 the new sections in this Act.

18 SECTION 23. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 24. This Act shall take effect upon approval;
21 provided that Part III of this Act shall take effect when the



1 elected members of the board of education are discharged from
 2 office pursuant to section 20 of this Act.
 3

INTRODUCED BY:

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D

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Report Title:

Board of Education; Appointment

Description:

Establishes implementing legislation for the appointment of board of education members. Establishes considerations for the senate during the advise and consent process.

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

