#### HOUSE OF REPRESENTATIVES TWENTY-FIFTH LEGISLATURE, 2010 STATE OF HAWAII

H.B. NO. 2177

### A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO REPEAL ARTICLE X, SECTIONS 2 AND 3, AND TO AMEND ARTICLE XVI, SECTION 4, OF THE HAWAI`I STATE CONSTITUTION.

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

1	SECTION 1. The purpose of this Act is to propose an
2	amendment to Article X, Sections 2 and 3, of the Constitution of
3	the State of Hawaii to abolish the Board of Education.
4	SECTION 2. Article X, Section 2, of the Constitution of the
5	State of Hawaii is repealed.
6	["BOARD OF EDUCATION
7	Section 2. There shall be a board of education composed of
8	members-who shall be elected in a nonpartisan manner by
9	qualified voters, as provided by law, from two at-large school
10	board districts. The first school board district shall be
11	comprised of the island of Oahu and all other islands not
12	specifically enumerated. The second school board district shall
13	<del>be comprised of the islands of Hawaii, Maui, Lanai, Molokai,</del>
[4	Kahoolawe, Kauai and Niihau. Each at-large school board
15	district shall be divided into departmental school districts, as
16	may be provided by law. There shall be at least one member
17	residing in each departmental school district. The Hawaii State
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1	Student-Council shall select a public high school student to
2	serve as a nonvoting member on the board of education."]
3	SECTION 3. Article X, Section 3, of the Constitution of the
4	State of Hawaii is repealed.
5	["POWER OF THE BOARD OF EDUCATION
6	Section 3. The board of education shall have the power, as
7	provided by law, to formulate statewide educational policy and
8	appoint the superintendent of education as the chief executive
9	officer of the public school system."]
10	SECTION 4. Article XVI, Section 4, of the Constitution of
11	the State of Hawaii is amended to read as follows:
12	"OATH OF OFFICE
13	Section 4. All eligible public officers, before entering
13 14	Section 4. All eligible public officers, before entering upon the duties of their respective offices, shall take and
14	upon the duties of their respective offices, shall take and
14 15	upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly
14 15 16	upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the
14 15 16 17	upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the
14 15 16 17 18	upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties
14 15 16 17 18 19	upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as
14 15 16 17 18 19 20	upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as to the best of my ability." As used in this section, "eligible public officers" means the governor,

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1 members of the national guard, State or county employees who possess police powers, district court judges, and all those 2 3 whose appointment requires the consent of the senate." 4 SECTION 5. The question to be printed on the ballot shall 5 be as follows: 6 "Shall the Board of Education be abolished?" 7 SECTION 6. Constitutional material to be repealed is 8 bracketed and stricken. 9 SECTION 7. This amendment shall take effect upon 10 compliance with Article XVII, Section 3, of the Constitution of 11 the State of Hawaii. 12

INTRODUCED BY:

JAN 2 0 2010



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### Report Title:

Board of Education; abolish

#### Description:

Proposes a constitutional amendment to abolish the board of education.

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