
A BILL FOR AN ACT

RELATING TO STATE BOARDS AND COMMISSIONS.

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

1 SECTION 1. The legislature finds that existing law allows
2 a member of a state board or commission to continue as a
3 holdover member until a successor is nominated and appointed.
4 However, clarification in the law is needed to address
5 situations where a board or commission member's nomination for
6 appointment or reappointment is withdrawn by the governor before
7 the senate has an opportunity to complete the advice and consent
8 process. The legislature further finds that if a member's
9 nomination for reappointment has been withdrawn for cause by the
10 governor, that nominee should not then be able to continue as a
11 holdover member on a board or commission.

12 Accordingly, the purpose of this Act is to clarify that any
13 member of a state board or commission whose nomination for
14 appointment or reappointment is withdrawn for cause by the
15 governor prior to the senate's advice and consent action shall
16 be considered disqualified, and if nominated for reappointment,
17 the member of a state board or commission shall be ineligible to



1 continue to serve as a holdover member beyond the member's most
2 recent term of appointment.

3 SECTION 2. Section 26-34, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) Any member of a board or commission whose term has
6 expired and who is not disqualified for membership under
7 subsection (a) may continue in office as a holdover member until
8 a successor is nominated and appointed; provided that a holdover
9 member shall not hold office beyond the end of the second
10 regular legislative session following the expiration of the
11 member's term of office[-]; provided further that any member
12 whose nomination for appointment or reappointment is withdrawn
13 for cause by the governor prior to an advice and consent action
14 by the senate shall be considered disqualified, and in the case
15 of the nomination for reappointment, the member shall be
16 ineligible to continue to serve as a holdover member beyond the
17 member's most recent term of appointment."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Boards and Commissions; Holdover Members; Qualifications;
Governor; Appointment

Description:

Clarifies that any member of a state board or commission whose nomination for appointment or reappointment is withdrawn for cause by the governor prior to the senate's advice and consent action shall be considered disqualified, and in the case of the nomination for reappointment, the member shall be ineligible to continue to serve as a holdover member beyond the member's most recent term of appointment. Effective 7/1/2050. (SD2)

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