
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Section 302A-123, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (b) to read:

4 "(b) The term of each member shall be three years, except
5 as provided for in the initial appointment in subsection (a).

6 Notwithstanding any law to the contrary, members shall serve no
7 more than three consecutive three-year terms; provided that the
8 members who are initially appointed to terms of two years or

9 less pursuant to subsection (a) may be reappointed to three
10 ensuing consecutive three-year terms. If a member is nominated

11 to be reappointed to serve a second or subsequent consecutive

12 term, the governor shall nominate the member for reappointment

13 at least one hundred fifty days prior to the expiration of the

14 member's immediately preceding term, and the senate shall

15 consider the question of whether to reconfirm the member at

16 least [~~one hundred twenty~~] sixty days prior to the expiration of

17 the member's immediately preceding term; provided that if the



1 senate has not taken final action to reconfirm the member by the
2 ~~[one hundred twenty-day]~~ sixty-day deadline, the member shall
3 continue to serve until the senate takes final action on the
4 reconfirmation[-]; provided further that, notwithstanding
5 section 26-34(b), the member shall not serve beyond the end of
6 the first regular session of the legislature following the
7 expiration of the member's immediately preceding term."

8 2. By amending subsection (d) to read:

9 "(d) Every member may serve beyond the expiration date of
10 the member's term of appointment until the member's successor
11 has been appointed by the governor and confirmed by the senate
12 in accordance with sections 302A-121, 302A-126, and 302A-127[-];
13 provided that, notwithstanding section 26-34(b), a holdover
14 member shall not serve as a member of the board beyond the end
15 of the first regular session of the legislature following the
16 expiration of the member's immediately preceding term unless the
17 holdover member has been duly appointed by the governor and
18 confirmed by the senate; provided further that, if the governor
19 withdraws a nomination to reappoint a holdover member prior to
20 the holdover member's confirmation by the senate, the holdover



1 member shall be immediately disqualified from serving as a
2 member of the board."

3 SECTION 2. Section 302A-125, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) The governor shall notify the senate in writing
6 within ten days of:

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

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

10 provided that any vacancy shall be filled by appointment by the
11 governor, with the advice and consent of the senate, in
12 accordance with sections 302A-121, 302A-122, 302A-123, 302A-126,
13 and 302A-127[-]; provided further that, no later than twenty
14 days prior to the convening of each regular session of the
15 legislature, the governor shall submit to the senate a list of
16 names of any member granted a commission by the governor to fill
17 a vacancy on the board that occurred when the senate was not in
18 session pursuant to article V, section 6 of the Hawaii State
19 Constitution, and the number of any vacancies on the board."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 2051.



Report Title:

Education; Board of Education; Holdover Members; Terms;
Limitation; Vacancies; Governor

Description:

Requires the governor to nominate members for reappointment at least one hundred fifty days before the expiration of the member's term. Requires the senate to consider the reconfirmation of the member at least sixty days before the member's term expires. Clarifies that holdover members shall not serve as members of the board of education beyond the end of the first regular session of the legislature following the expiration of the member's term unless duly appointed by the governor and confirmed by the senate. Immediately disqualifies from service any holdover member whose nomination is withdrawn by the governor prior to the holdover member's confirmation by the senate. Requires the governor to annually submit to the senate a list of the names of any vacancies filled by interim appointment and the number of any vacancies on the board. Effective 7/1/2051. (HD1)

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

