

JAN 19 2007

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 2, OF THE HAWAII
CONSTITUTION, REGARDING THE BOARD OF EDUCATION.

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

1 SECTION 1. The legislature finds that the elections of the
2 members of the board of education consistently have been
3 accompanied by a large percentage of blank ballots, which may be
4 an indication that the electorate often does not have enough
5 information about the candidates. A major factor in this
6 situation is that all Oahu voters elect board members for the
7 island, even when the candidate is running to represent a school
8 district other than the voter's district. This situation is
9 even more pronounced with the neighbor islands, with the
10 electorate on Kauai voting for the island of Hawaii member, and
11 vice versa. Name recognition and knowledge of the
12 qualifications of the candidates would be greatly increased if
13 the candidates need campaign only within a limited local
14 district.

15 The legislature further finds that the current voting
16 districts of the board of education also make it difficult for
17 elected members to be responsive to the issues and concerns of



1 communities and schools within departmental districts that they
2 represent; for example, the windward district member on issues
3 in the leeward district or the Kauai district member on issues
4 for Molokai, which is part of the Maui district. In addition,
5 members elected from Oahu cannot effectively represent all of
6 Oahu, nor can the neighbor island members represent all of the
7 neighbor islands.

8 The purpose of this Act is to propose an amendment to
9 Article X, section 2, of the Constitution of the State of Hawaii
10 to require that:

- 11 (1) The board of education shall be composed of seventeen
12 voting members elected in a nonpartisan manner by the
13 qualified voters of the respective school board
14 districts, as provided by law; and
15 (2) School board districts shall be designated by each
16 scheduled reapportionment commission.

17 SECTION 2. Article 10, section 2, of the Constitution of
18 the State of Hawaii is amended to read as follows:

19 **"BOARD OF EDUCATION**

20 **Section 2.** There shall be a board of education composed of
21 seventeen voting members who shall be elected in a nonpartisan
22 manner by the qualified voters[, ~~as provided by law, from two~~



1 ~~at large school board districts. The first school board~~
2 ~~district shall be comprised of the island of Oahu and all other~~
3 ~~islands not specifically enumerated. The second school board~~
4 ~~district shall be comprised of the islands of Hawaii, Maui,~~
5 ~~Lanai, Molokai, Kahoolawe, Kauai and Niihau. Each at large~~
6 ~~school board district shall be divided into departmental school~~
7 ~~districts, as may be provided by law. There shall be at least~~
8 ~~one member residing in each departmental school district.] of~~
9 the respective school board districts, as provided by law.
10 School board districts shall be designated by each scheduled
11 reapportionment commission. The Hawaii State Student Council
12 shall select a public high school student to serve as a
13 nonvoting member on the board of education."

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

16 "Shall the board of education be composed of seventeen
17 voting members who represent a board district comprised of
18 three representative districts and elected in a nonpartisan
19 manner by the qualified voters of the respective school
20 board districts, as provided by law?"



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

4 SECTION 5. This amendment shall take effect upon
5 compliance with article XVII, section 3, of the Constitution of
6 the State of Hawaii, and shall apply to the general election of
7 2008; provided that if the constitutional amendment proposed in
8 section 2 of this Act is ratified, the school board districts in
9 existence on the day before ratification shall remain in force
10 and effect until a duly constituted reapportionment commission
11 amends the State's school board districts.

12

INTRODUCED BY: Norman Sabau



Report Title:

Constitutional Amendment; Board of Education

Description:

Proposes a ballot question to amend the state constitution to: make the board of education composed of seventeen voting members elected in a nonpartisan manner by the qualified voters of the respective school board districts, as provided by law; and require school board districts to be designated by the next scheduled reapportionment commission.

