A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO REPEAL THE ONE-YEAR MINIMUM HAWAII RESIDENCY REQUIREMENT TO QUALIFY FOR APPOINTMENT PURSUANT TO ARTICLE V, SECTION 6, OF THE CONSTITUTION OF THE STATE OF HAWAII.

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

SECTION 1. The purpose of this Act is to propose an amendment to article V, section 6, of the Constitution of the State of Hawaii to repeal the one-year minimum Hawaii residency requirement to qualify for appointment pursuant to article V, section 6, of the Constitution of the State of Hawaii.

SECTION 2. Article V, section 6, of the Constitution of the State of Hawaii is amended to read as follows:

"EXECUTIVE AND ADMINISTRATIVE OFFICES

AND DEPARTMENTS

Section 6. All executive and administrative offices, departments and instrumentalities of the state government and their respective powers and duties shall be allocated by law among and within not more than twenty principal departments in such a manner as to group the same according to common purposes and related functions. Temporary commissions or agencies for
special purposes may be established by law and need not be
allocated within a principal department.

Each principal department shall be under the supervision of
the governor and, unless otherwise provided in this constitution
or by law, shall be headed by a single executive. Such single
executive shall be nominated and, by and with the advice and
consent of the senate, appointed by the governor. That person
shall hold office for a term to expire at the end of the term
for which the governor was elected, unless sooner removed by the
governor; except that the removal of the chief legal officer of
the State shall be subject to the advice and consent of the
senate.

Except as otherwise provided in this constitution, whenever
a board, commission or other body shall be the head of a
principal department of the state government, the members
terof shall be nominated and, by and with the advice and
consent of the senate, appointed by the governor. The term of
office and removal of such members shall be as provided by law.
Such board, commission or other body may appoint a principal
executive officer who, when authorized by law, may be an ex
officio, voting member thereof, and who may be removed by a
majority vote of the members appointed by the governor.

The governor shall nominate and, by and with the advice and
consent of the senate, appoint all officers for whose election
or appointment provision is not otherwise provided for by this
constitution or by law. If the manner of removal of an officer
is not prescribed in this constitution, removal shall be as
provided by law.

When the senate is not in session and a vacancy occurs in
any office, appointment to which requires the confirmation of
the senate, the governor may fill the office by granting a
commission which shall expire, unless such appointment is
confirmed, at the end of the next session of the senate. The
person so appointed shall not be eligible for another interim
appointment to such office if the appointment failed to be
confirmed by the senate.

No person who has been nominated for appointment to any
office and whose appointment has not received the consent of the
senate shall be eligible to an interim appointment thereafter to
such office.
Every officer appointed under the provisions of this section shall be a citizen of the United States [and shall have been a resident of this State for at least one year immediately preceding that person's appointment, except that this residency requirement shall not apply to the president of the University of Hawaii]."

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

"Shall the one-year minimum Hawaii residency requirement to qualify for appointment as an executive of a principal department pursuant to article V, section 6, of the Constitution of the State of Hawaii be repealed?"

SECTION 4. Constitutional material to be repealed is bracketed and stricken.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

INTRODUCED BY:

[Signature]
Report Title:
Constitutional Amendment; Residency Requirement; Appointed Officials

Description:
Proposes a constitutional amendment to repeal the minimum one-year Hawaii residency requirement for appointment as an executive of a principal department pursuant to article V, section 6, of the Constitution of the State of Hawaii.

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