

1 later than ninety days prior to the general election at which
2 the initiative is to be submitted directly to the people.

3 Each initiative measure shall embrace but one subject, which
4 shall be expressed in its title. The enacting clause shall be:

5 "BE IT ENACTED BY THE PEOPLE
6 OF THE STATE OF HAWAII"

7 The initiative measure shall be enacted into law when
8 approved by a majority of votes counted for the measure. If two
9 or more conflicting initiative measures shall be approved by the
10 people at the same election, the measure receiving the highest
11 number of votes shall prevail.

12 No initiative measure that names any individual to hold any
13 office, or names or identifies any private corporation to
14 perform any function or to have any power or duty, shall be
15 submitted or have any effect.

16 An initiative measure proposing to prohibit a specific
17 activity or to terminate an existing statutory or regulatory
18 right or privilege shall be submitted to the people in such form
19 that they are to vote in the affirmative if they favor the right
20 to engage in the activity or continuance of the right or
21 privilege.



1 Prior to the circulation of any initiative petition for
2 signatures, a copy shall be submitted to the attorney general,
3 who shall prepare a title and summary of the chief purpose and
4 aim of the proposed measure and transmit it to the submitter
5 within thirty days. The title and summary shall not exceed
6 words.

7 If, after the initiative petition is submitted to the
8 attorney general, any law is enacted which is the same or
9 similar to and accomplishes the same purpose as an initiative
10 measure, as determined by the attorney general, the chief
11 election officer by a public announcement, shall declare the
12 initiative measure void and order it stricken from the ballot.

13 All initiative petitions shall be submitted to the chief
14 election officer for certification. Each sheet containing
15 petitioners' signatures shall be attached to the title, summary,
16 and text of the initiative petition. No laws shall be enacted
17 limiting the number of copies of a petition which may be
18 circulated. Any registered voter of this State shall be
19 competent to solicit signatures. The petition shall be signed
20 by registered voters only. All signers shall add their address
21 as shown on their voter registration form and the date upon
22 which they sign the petition. Every sheet of the petition



1 containing signatures shall be verified by affidavit of the
2 petition circulator that each name on the sheet was signed in
3 the presence of the affiant and that in the belief of the
4 affiant each signer is a registered voter of the State. The
5 chief election officer shall certify that the signers are
6 registered voters of this State.

7 Upon certification, an initiative request shall be made to
8 the attorney general, who shall prepare the initiative in the
9 proper format, using brackets, strike through, and underscoring,
10 as appropriate.

11 The chief election officer shall not release any petition
12 for inspection by the public or any governmental agency, except
13 where the supreme court orders inspection of such petition when
14 a question has been raised regarding the sufficiency of a
15 petition. If any petition under this section has been
16 determined to be insufficient, the petition shall be returned to
17 the circulators within thirty days of its filing with the
18 notations of specific insufficiencies.

19 Any measure under this section shall be presented to the
20 people in such a form that a "yes" vote, on a yes or no ballot,
21 shall indicate an affirmative vote for the measure as the
22 measure is written.



1 law enacted by the legislature shall be, "Be it enacted by the
2 legislature of the State of Hawaii."

3 SECTION 5. Article XVII, section 1, of the Constitution of
4 the State of Hawaii is amended to read as follows:

5 **"METHODS OF PROPOSAL**

6 **Section 1.** Revisions of or amendments to this constitution
7 may be proposed by constitutional convention [~~or~~], by the
8 legislature[-], or by the people through the initiative
9 process."

10 SECTION 6. Article XVII, section 4, of the Constitution of
11 the State of Hawaii is amended to read as follows:

12 **"VETO**

13 **Section 4.** No proposal for amendment of the constitution
14 adopted in either manner provided by this article or by
15 initiative shall be subject to veto by the governor."

16 SECTION 7. The question to be printed on the ballot shall
17 be as follows:

18 "Shall the state constitution be amended to provide for
19 making laws or constitutional amendments through the process
20 of initiative?"



1 SECTION 8. Constitutional material to be repealed is
2 bracketed and stricken. New constitutional material is
3 underscored.

4 SECTION 9. This amendment shall take effect upon
5 compliance with article XVII, section 3, of the Constitution of
6 the State of Hawaii.

7

By Request

INTRODUCED BY:





Report Title:

Initiative; Constitutional Amendment

Description:

Proposes a constitutional amendment to provide for the initiative.

