

JAN 16 2014

A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION TO PROVIDE FOR A
UNICAMERAL LEGISLATURE.

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

1 SECTION 1. Currently, the state legislature is comprised
2 of two houses that operate independently. This bicameral
3 legislative structure provides a system of checks and balances
4 to facilitate legislative deliberation, provides safeguards
5 against the passage of carelessly drafted legislation, and
6 promotes openness in government by affording citizens more
7 opportunities to express their opinions. In recent years,
8 however, the system has become extremely cumbersome and
9 inefficient.

10 The existing bicameral system is replete with duplication in
11 committee structure, staffing, and legislation introduced.
12 Procedures and policies differ, sometimes substantially, between
13 the two houses, making it time-consuming, confusing, and more
14 difficult for citizen participation. Moreover, the two houses
15 often take diametrically opposed positions on significant
16 issues. This often results in inaction, or in important and
17 controversial decisions being made by conference committees,



1 where special interests can be more easily accommodated than in
2 the more open, deliberative standing committee hearings.

3 A unicameral legislature would eliminate unnecessary
4 duplication and would provide better citizen access to the
5 legislative process. Conversion to a unicameral system would
6 result in immediate cost savings as the total number of
7 legislators, staff, and legislative measures would decrease.

8 The purpose of this Act is to amend the Constitution of the
9 State of Hawaii to:

10 (1) Change the legislature from a bicameral legislature
11 with a house of representatives and a senate to a
12 unicameral legislature with only one chamber, to be
13 known as the legislature, commencing after the general
14 election in November 2014;

15 (2) Change the total number of legislators from seventy-
16 six to fifty-one legislators representing fifty-one
17 single-member districts, who serve staggered terms of
18 four years each; and

19 (3) Change the composition of the reapportionment
20 commission to require four members each to be
21 appointed by the speaker and minority leader of the
22 legislature, with appointees choosing the ninth



1 member; and change the composition of the judicial
2 selection commission to require four members to be
3 appointed by the speaker of the legislature, with the
4 governor to appoint two members, the chief justice to
5 appoint one member, and members of the bar to elect
6 two members.

7 Until such time as a new apportionment plan is filed, it is
8 the intent of the legislature that the apportionment plan for
9 the house of representatives in effect at the time this Act
10 becomes effective shall apply to the new unicameral legislature.

11 SECTION 2. Article III, of the Constitution of the State
12 of Hawaii is amended to read as follows:

13 **"LEGISLATIVE POWER**

14 **Section 1.** [The] Commencing after the general election in
15 November 2014, the legislative power of the State shall be
16 vested in a legislature, which shall consist of [~~two houses, a~~
17 ~~senate and a house of representatives.~~] one chamber which shall
18 be known as the legislature. Such power shall extend to all
19 rightful subjects of legislation not inconsistent with this
20 constitution or the Constitution of the United States.

21 **[COMPOSITION OF SENATE**



~~Section 2.~~ The senate shall be composed of twenty-five members, who shall be elected by the qualified voters of the respective senatorial districts. Until the next reapportionment the senatorial districts and the number of senators to be elected from each shall be as set forth in the Schedule.]

COMPOSITION OF [HOUSE OF REPRESENTATIVES] LEGISLATURE

Section 3. The [house of representatives] legislature shall be composed of fifty-one members, who shall be elected by the qualified voters of the respective [representative] single member legislative districts. [Until the next reapportionment, the representative] The legislative districts [and the number of representatives to be elected from each] shall be as set forth [in the Schedule.] by the reapportionment commission.

ELECTION OF MEMBERS; TERM

Section 4. Each member of the legislature shall be elected at an election. If more than one candidate has been nominated for election to a seat in the legislature, the member occupying that seat shall be elected at a general election. If a candidate nominated for a seat at a primary election is unopposed for that seat at the general election, the candidate shall be deemed elected at the primary election. The term of office of a member of the [house of representatives] legislature



1 shall be ~~[two years and the term of office of a member of the~~
2 ~~senate shall be]~~ four years[-]; provided that of the legislators
3 elected to the term commencing after the general election in
4 November 2014, the members of the legislature shall serve
5 staggered terms of office as provided in Article IV, Section 7
6 of this Constitution. The term of a member of the legislature
7 shall begin on the day of the general election at which elected
8 or if elected at a primary election, on the day of the general
9 election immediately following the primary election at which
10 elected. ~~[For a member of the house of representatives, the~~
11 ~~term shall end on the day of the general election immediately~~
12 ~~following the day the member's term commences. For a member of~~
13 ~~the senate, the]~~ The term of a member of the legislature shall
14 end on the day of the second general election immediately
15 following the day the member's term commences.

VACANCIES

17 **Section 5.** Any vacancy in the legislature shall be filled
18 for the unexpired term in such manner as may be provided by law,
19 or, if no provision be made by law, by appointment by the
20 governor for the unexpired term.

QUALIFICATIONS OF MEMBERS



1 **Section 6.** ~~[No person shall be eligible to serve as a~~
2 ~~member of the senate unless the person has been a resident of~~
3 ~~the State for not less than three years, has attained the age of~~
4 ~~majority and is, prior to filing nomination papers and~~
5 ~~thereafter continues to be, a qualified voter of the senatorial~~
6 ~~district from which the person seeks to be elected; except that~~
7 ~~in the year of the first general election following~~
8 ~~reapportionment, but prior to the primary election, an incumbent~~
9 ~~senator may move to a new district without being disqualified~~
10 ~~from completing the remainder of the incumbent senator's term.]~~

11 No person shall be eligible to serve as a member of the [house
12 ~~of representatives~~] legislature unless the person has been a
13 resident of the State for not less than three years, has
14 attained the age of majority and is, prior to filing nomination
15 papers and thereafter continues to be, a qualified voter of the
16 [~~representative~~] legislative district from which the person
17 seeks to be elected; except that in the year of the first
18 general election following reapportionment, but prior to the
19 primary election, an incumbent [~~representative~~] legislator may
20 move to a new district without being disqualified from
21 completing the remainder of the incumbent [~~representative's~~]
22 legislator's term.



PRIVILEGES OF MEMBERS

Section 7. No member of the legislature shall be held to answer before any other tribunal for any statement made or action taken in the exercise of the member's legislative functions; and members of the legislature shall, in all cases except felony or breach of the peace, be privileged from arrest during their attendance at the sessions of [~~their respective houses,~~] the legislature and in going to and returning from the same.

DISQUALIFICATIONS OF MEMBERS

Section 8. No member of the legislature shall hold any other public office under the State, nor shall the member, during the term for which the member is elected or appointed, be elected or appointed to any public office or employment which shall have been created, or the emoluments whereof shall have been increased, by legislative act during such term. The term "public offices," for the purposes of this section, shall not include notaries public, reserve police officers or officers of emergency organizations for civilian defense or disaster relief. The legislature may prescribe further disqualifications.

LEGISLATIVE ALLOWANCE

1 **Section 9.** The members of the legislature shall receive
2 allowances reasonably related to expenses as provided by law.

3 **SESSIONS**

4 **Section 10.** The legislature shall convene annually in
5 regular session at 10:00 o'clock a.m. on the third Wednesday in
6 January.

7 ~~[At the written request of two-thirds of the members to~~
8 ~~which each house is entitled, the presiding officers of both~~
9 ~~houses shall convene the legislature in special session.]~~ At
10 the written request of two-thirds of the members of the ~~[senate,~~
11 ~~the president of the senate]~~ legislature, the speaker shall
12 convene the ~~[senate]~~ legislature in special session for the
13 purpose of carrying out its responsibility established by
14 Section 3 of Article VI~~[-]~~ or for other legislative business.
15 The governor may convene ~~[both houses or the senate alone]~~ the
16 legislature in special session.

17 Regular sessions shall be limited to a period of sixty
18 days, and special sessions shall be limited to a period of
19 thirty days. Any session may be extended a total of not more
20 than fifteen days. Such extension shall be granted by the
21 ~~[presiding officers of both houses]~~ speaker of the legislature
22 at the written request of two-thirds of the members to which



1 ~~[each house]~~ the legislature is entitled or may be granted by
2 the governor.

3 Each regular session shall be recessed for not less than
4 five days at some period between the twentieth and fortieth days
5 of the regular session. The legislature shall determine the
6 dates of the mandatory recess by ~~[concurrent]~~ resolution. Any
7 session may be recessed by ~~[concurrent]~~ resolution adopted by a
8 majority of the members to which ~~[each house]~~ the legislature is
9 entitled. Saturdays, Sundays, holidays, the days in mandatory
10 recess and any days in recess pursuant to a ~~[concurrent]~~
11 resolution shall be excluded in computing the number of days of
12 any session.

13 All sessions shall be held in the capital of the State. In
14 case the capital shall be unsafe, the governor may direct that
15 any session be held at some other place.

16 **ADJOURNMENT**

17 ~~Section 11. Neither house shall adjourn during any session~~
18 ~~of the legislature for more than three days, or sine die,~~
19 ~~without the consent of the other.~~

20 **ORGANIZATION; DISCIPLINE; RULES; PROCEDURE**

21 **Section 12.** ~~[Each house]~~ The legislature shall be the
22 judge of the elections, returns and qualifications of its ~~[own]~~



1 members and shall have, for misconduct, disorderly behavior or
2 neglect of duty of any member, power to punish such member by
3 censure or, upon a two-thirds vote of all the members to which
4 ~~[such house]~~ the legislature is entitled, by suspension or
5 expulsion of such member. ~~[Each house]~~ The legislature shall
6 choose its own officers, determine the rules of its proceedings
7 and keep a journal. The ayes and noes of the members on any
8 question shall, at the desire of one-fifth of the members
9 present, be entered upon the journal.

10 Twenty days after a bill has been referred to a committee
11 ~~[in either house,]~~ of the legislature, the bill may be recalled
12 from such committee by the affirmative vote of one-third of the
13 members to which ~~[such house]~~ the legislature is entitled.

14 Every meeting or hearing of a committee in ~~[either house or~~
15 ~~of a committee comprised of a member or members from both~~
16 ~~houses]~~ the legislature held for the purpose of making decision
17 on matters referred to the committee shall be open to the
18 public.

19 By rule of its proceedings, ~~[applicable to both houses,~~
20 ~~each house]~~ the legislature shall provide for the date by which
21 all bills to be considered in a regular session shall be
22 introduced.



QUORUM; COMPULSORY ATTENDANCE

Section 13. A majority of the number of members to which ~~[each house]~~ the legislature is entitled shall constitute a quorum ~~[of such house]~~ for the conduct of ordinary business, of which quorum a majority vote shall suffice; but the final passage of a bill ~~[in each house]~~ shall require the vote of a majority of all the members to which ~~[such house]~~ the legislature is entitled, taken by ayes and noes and entered upon its journal. A smaller number than a quorum may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as ~~[each house]~~ the legislature may provide.

BILLS; ENACTMENT

Section 14. No law shall be passed except by bill. Each law shall embrace but one subject, which shall be expressed in its title. The enacting clause of each law shall be, "Be it enacted by the legislature of the State of Hawaii."

PASSAGE OF BILLS

Section 15. No bill shall become law unless it shall pass three readings in ~~[each house]~~ the legislature on separate days. No bill shall pass third or final reading ~~[in either house]~~ unless printed copies of the bill in the form to be passed shall



1 have been made available to the members of [~~that house~~] the
2 legislature for at least forty-eight hours.

3 [~~Every bill when passed by the house in which it~~
4 ~~originated, or in which amendments thereto shall have~~
5 ~~originated, shall immediately be certified by the presiding~~
6 ~~officer and clerk and sent to the other house for~~
7 ~~consideration.~~]

8 Any bill pending at the final adjournment of a regular
9 session in an odd-numbered year shall carry over with the same
10 status to the next regular session. [~~Before the carried over~~
11 ~~bill is enacted, it shall pass at least one reading in the house~~
12 ~~in which the bill originated.~~]

13 APPROVAL OR VETO

14 **Section 16.** Every bill which shall have passed the
15 legislature shall be certified by the [~~presiding officers and~~
16 ~~clerks of both houses~~] speaker and the clerk of the legislature
17 and shall thereupon be presented to the governor. If the
18 governor approves it, the governor shall sign it and it shall
19 become law. If the governor does not approve such bill, the
20 governor may return it, with the governor's objections to the
21 legislature. Except for items appropriated to be expended by
22 the judicial and legislative branches, the governor may veto any



1 specific item or items in any bill which appropriates money for
2 specific purposes by striking out or reducing the same; but the
3 governor shall veto other bills, if at all, only as a whole.

4 The governor shall have ten days to consider bills
5 presented to the governor ten or more days before the
6 adjournment of the legislature sine die, and if any such bill is
7 neither signed nor returned by the governor within that time, it
8 shall become law in like manner as if the governor had signed
9 it.

10 RECONSIDERATION AFTER ADJOURNMENT

11 The governor shall have forty-five days, after the
12 adjournment of the legislature sine die, to consider bills
13 presented to the governor less than ten days before such
14 adjournment, or presented after adjournment, and any such bill
15 shall become law on the forty-fifth day unless the governor by
16 proclamation shall have given ten days' notice to the
17 legislature that the governor plans to return such bill with the
18 governor's objections on that day. The legislature may convene
19 at or before noon on the forty-fifth day in special session,
20 without call, for the sole purpose of acting upon any such bill
21 returned by the governor. In case the legislature shall fail to
22 so convene, such bill shall not become law. Any such bill may



1 be amended to meet the governor's objections and, if so amended
2 and passed, only one reading being required in [~~each house~~] the
3 legislature for such passage, it shall be presented again to the
4 governor, but shall become law only if the governor shall sign
5 it within ten days after presentation.

6 In computing the number of days designated in this section,
7 the following days shall be excluded: Saturdays, Sundays,
8 holidays and any days in which the legislature is in recess
9 prior to its adjournment as provided in section 10 of this
10 article.

11 PROCEDURES UPON VETO

12 **Section 17.** Upon the receipt of a veto message from the
13 governor, [~~each house~~] the legislature shall enter the same at
14 large upon its journal and proceed to reconsider the vetoed
15 bill, or the item or items vetoed, and again vote upon such
16 bill, or such item or items, by ayes and noes, which shall be
17 entered upon its journal. If after such reconsideration such
18 bill, or such item or items, shall be approved by a two-thirds
19 vote of all members to which [~~each house~~] the legislature is
20 entitled, the same shall become law.

21 PUNISHMENT OF NONMEMBERS



1 **Section 18.** ~~[Each house]~~ The legislature may punish by
2 fine, or by imprisonment not exceeding thirty days, any person
3 not a member of ~~[either house]~~ the legislature who shall be
4 guilty of disrespect of ~~[such house]~~ the legislature by any
5 disorderly or contemptuous behavior in its presence or that of
6 any committee thereof; or who shall, on account of the exercise
7 of any legislative function, threaten harm to the body or estate
8 of any of the members of ~~[such house,]~~ the legislature; or who
9 shall assault, arrest or detain any witness or other person
10 ordered to attend ~~[such house,]~~ the legislature, on the witness'
11 or other person's way going to or returning therefrom; or who
12 shall rescue any person arrested by order of ~~[such house.]~~ the
13 legislature.

14 Any person charged with such an offense shall be informed
15 in writing of the charge made against the person and have
16 opportunity to present evidence and be heard in the person's own
17 defense.

18 IMPEACHMENT

19 **Section 19.** The governor and lieutenant governor, and any
20 appointive officer for whose removal the consent of the ~~[senate]~~
21 legislature is required, may be removed from office upon



1 conviction of impeachment for such causes as may be provided by
2 law.

3 The [~~house of representatives~~] legislature shall have the
4 sole power of impeachment of the governor and lieutenant
5 governor and [~~the senate~~] the sole power to try such
6 impeachments, and no such officer shall be convicted without the
7 concurrence of two-thirds of the members of the [~~senate.~~]
8 legislature. When sitting for that purpose, the members of the
9 [~~senate~~] legislature shall be on oath or affirmation and the
10 chief justice shall preside. Subject to [~~the provisions of~~]
11 this paragraph, the legislature may provide for the manner and
12 procedure of removal by impeachment of such officers.

13 The legislature shall by law provide for the manner and
14 procedure of removal by impeachment of the appointive officers.

15 Judgments in cases of impeachment shall not extend beyond
16 removal from office and disqualification to hold and enjoy any
17 office of honor, trust or profit under the State; but the person
18 convicted may nevertheless be liable and subject to indictment,
19 trial, judgment and punishment as provided by law."

20 SECTION 3. Article IV, section 2, of the Constitution of
21 the State of Hawaii is amended to read as follows:

22 "REAPPORTIONMENT COMMISSION



1 **Section 2.** A reapportionment commission shall be
2 constituted on or before May 1 of each reapportionment year and
3 whenever reapportionment is required by court order. The
4 commission shall consist of nine members. ~~[The president of the~~
5 ~~senate and the speaker of the house of representatives]~~ The
6 speaker of the legislature and the minority leader shall each
7 select ~~[two]~~ four members. ~~[Members of each house belonging to~~
8 ~~the party or parties different from that of the president or the~~
9 ~~speaker shall designate one of their number for each house and~~
10 ~~the two so designated shall each select two members of the~~
11 ~~commission.]~~ The eight members so selected, promptly after
12 selection, shall be certified by the selecting authorities to
13 the chief election officer and within thirty days thereafter,
14 shall select, by a vote of six members, and promptly certify to
15 the chief election officer the ninth member who shall serve as
16 chairperson of the commission.

17 Each of the ~~[four]~~ officials designated above as selecting
18 authorities for the eight members of the commission, at the time
19 of the commission selections, shall also select one person from
20 each basic island unit to serve on an apportionment advisory
21 council for that island unit. The councils shall remain in
22 existence during the life of the commission and each shall serve



1 in an advisory capacity to the commission for matters affecting
2 its island unit.

3 A vacancy in the commission or a council shall be filled by
4 the initial selecting authority within fifteen days after the
5 vacancy occurs. Commission and council positions and vacancies
6 not filled within the times specified shall be filled promptly
7 thereafter by the supreme court.

8 The commission shall act by majority vote of its membership
9 and shall establish its own procedures, except as may be
10 provided by law.

11 Not more than one hundred fifty days from the date on which
12 its members are certified, the commission shall file with the
13 chief election officer a reapportionment plan for the state
14 legislature and a reapportionment plan for the United States
15 congressional districts which shall become law after publication
16 as provided by law. Members of the commission shall hold office
17 until each reapportionment plan becomes effective or until such
18 time as may be provided by law.

19 No member of the reapportionment commission or an
20 apportionment advisory council shall be eligible to become a
21 candidate for election to ~~[either house of]~~ the legislature or



1 to the United States House of Representatives in either of the
2 first two elections under any such reapportionment plan.

3 Commission and apportionment advisory council members shall
4 be compensated and reimbursed for their necessary expenses as
5 provided by law.

6 The chief election officer shall be secretary of the
7 commission without vote and, under the direction of the
8 commission, shall furnish all necessary technical services. The
9 legislature shall appropriate funds to enable the commission to
10 carry out its duties."

11 SECTION 4. Article IV, section 4, of the Constitution of
12 the State of Hawaii is amended to read as follows:

13 **"APPORTIONMENT AMONG BASIC ISLAND UNITS**

14 **Section 4.** The commission shall allocate the total number
15 of members of ~~[each house of]~~ the state legislature being
16 reapportioned among the four basic island units, namely: (1)
17 the island of Hawaii, (2) the islands of Maui, Lanai, Molokai
18 and Kahoolawe, (3) the island of Oahu and all other islands not
19 specifically enumerated, and (4) the islands of Kauai and
20 Niihau, using the total number of permanent residents in each of
21 the basic island units and computed by the method known as the



1 method of equal proportions; except that no basic island unit
2 shall receive less than one member [~~in each house~~]."

3 SECTION 5. Article IV, section 6, of the Constitution of
4 the State of Hawaii is amended to read as follows:

5 **"APPORTIONMENT WITHIN BASIC ISLAND UNITS**

6 **Section 6.** Upon the determination of the total number of
7 members of [~~each house of~~] the state legislature to which each
8 basic island unit is entitled, the commission shall apportion
9 the members among the districts therein and shall redraw
10 district lines where necessary in such manner that [~~for each~~
11 ~~house~~] the average number of permanent residents per member in
12 each district is as nearly equal to the average for the basic
13 island unit as practicable.

14 In effecting such redistricting, the commission shall be
15 guided by the following criteria:

16 1. No district shall extend beyond the boundaries of any
17 basic island unit.

18 2. No district shall be so drawn as to unduly favor a
19 person or political faction.

20 3. Except in the case of districts encompassing more than
21 one island, districts shall be contiguous.

22 4. Insofar as practicable, districts shall be compact.



1 5. Where possible, district lines shall follow permanent
2 and easily recognized features, such as streets, streams and
3 clear geographical features, and, when practicable, shall
4 coincide with census tract boundaries.

5 ~~[6. Where practicable, representative districts shall be~~
6 ~~wholly included within senatorial districts.~~

7 ~~7.]~~ 6. Not more than ~~[four members]~~ one member shall be
8 elected from any district.

9 ~~[8.]~~ 7. Where practicable, submergence of an area in a
10 larger district wherein substantially different socio-economic
11 interests predominate shall be avoided."

12 SECTION 6. Article IV, section 7, of the Constitution of
13 the State of Hawaii is amended to read as follows:

14 **"ELECTION OF ~~[SENATORS]~~ LEGISLATORS AFTER REAPPORTIONMENT**

15 **Section 7.** Regardless of whether or not a ~~[senator]~~
16 legislator is serving a term that would have extended past the
17 general election at which an apportionment plan becomes
18 effective, the term of office of all ~~[senators]~~ legislators
19 shall end at that general election. The staggered terms of
20 ~~[senators]~~ legislators in each district shall be recomputed as
21 established by the next section in this article, and the number



1 of [~~senators~~] legislators in a [~~senatorial~~] legislative district
2 under the reapportionment plan of the commission."

3 SECTION 7. Article IV, section 8, of the Constitution of
4 the State of Hawaii is amended to read as follows:

5 "STAGGERED TERMS FOR THE [~~SENATE~~] LEGISLATURE

6 Section 8. The reapportionment commission shall, as part
7 of the reapportionment plan, assign two-year terms for [~~twelve~~
8 ~~senate~~] twenty-five legislative seats for the election
9 immediately following the adoption of the reapportionment plan.
10 The remaining seats shall be assigned four-year terms. Insofar
11 as practicable, the commission shall assign the two-year terms
12 to [~~senate~~] legislative seats so that the resident population of
13 each [~~senate~~] legislative district shall have no more than two
14 regular [~~senate~~] legislative elections for a particular [~~senate~~]
15 ~~legislative~~ seat within the six-year period beginning in the
16 even-numbered year prior to the reapportionment year; provided
17 that in the event of a multi-member [~~senate~~] legislative
18 district, the [~~senators~~] legislators elected with the highest
19 number of votes in that district in the election immediately
20 following the adoption of the reapportionment plan shall fill
21 the [~~senate~~] legislative seats in that district which were
22 assigned the four-year terms by the commission."



1 SECTION 8. Article V, section 6, of the Constitution of
2 the State of Hawaii is amended to read as follows:

3 **"EXECUTIVE AND ADMINISTRATIVE OFFICES**

4 **AND DEPARTMENTS**

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

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



1 Except as otherwise provided in this constitution, whenever
2 a board, commission or other body shall be the head of a
3 principal department of the state government, the members
4 thereof shall be nominated and, by and with the advice and
5 consent of the [~~senate,~~] legislature, appointed by the governor.

6 The term of office and removal of such members shall be as
7 provided by law. Such board, commission or other body may
8 appoint a principal executive officer who, when authorized by
9 law, may be an ex officio, voting member thereof, and who may be
10 removed by a majority vote of the members appointed by the
11 governor.

12 The governor shall nominate and, by and with the advice and
13 consent of the [~~senate,~~] legislature, appoint all officers for
14 whose election or appointment provision is not otherwise
15 provided for by this constitution or by law. If the manner of
16 removal of an officer is not prescribed in this constitution,
17 removal shall be as provided by law.

18 When the [~~senate~~] legislature is not in session and a
19 vacancy occurs in any office, appointment to which requires the
20 confirmation of the [~~senate,~~] legislature, the governor may fill
21 the office by granting a commission which shall expire, unless
22 such appointment is confirmed, at the end of the next session of



1 the ~~[senate.]~~ legislature. The person so appointed shall not be
2 eligible for another interim appointment to such office if the
3 appointment failed to be confirmed by the ~~[senate.]~~ legislature.

4 No person who has been nominated for appointment to any
5 office and whose appointment has not received the consent of the
6 ~~[senate]~~ legislature shall be eligible to an interim appointment
7 thereafter to such office.

8 Every officer appointed under the provisions of this
9 section shall be a citizen of the United States and shall have
10 been a resident of this State for at least one year immediately
11 preceding that person's appointment, except that this residency
12 requirement shall not apply to the president of the University
13 of Hawaii."

14 SECTION 9. Article VI, section 3, of the Constitution of
15 the State of Hawaii is amended to read as follows:

16 **"APPOINTMENT OF JUSTICES AND JUDGES**

17 **Section 3.** The governor, with the consent of the ~~[senate,~~
18 legislature, shall fill a vacancy in the office of the chief
19 justice, supreme court, intermediate appellate court and circuit
20 courts, by appointing a person from a list of not less than
21 four, and not more than six, nominees for the vacancy, presented
22 to the governor by the judicial selection commission.



1 If the governor fails to make any appointment within thirty
2 days of presentation, or within ten days of the [~~senate's~~]
3 legislature's rejection of any previous appointment, the
4 appointment shall be made by the judicial selection commission
5 from the list with the consent of the [~~senate~~] legislature. If
6 the [~~senate~~] legislature fails to reject any appointment within
7 thirty days thereof, it shall be deemed to have given its
8 consent to such appointment. If the [~~senate~~] legislature shall
9 reject any appointment, the governor shall make another
10 appointment from the list within ten days thereof. The same
11 appointment and consent procedure shall be followed until a
12 valid appointment has been made, or failing this, the commission
13 shall make the appointment from the list, without [~~senate~~] the
14 consent[~~-~~] of the legislature.

15 The chief justice, with the consent of the [~~senate~~],
16 legislature, shall fill a vacancy in the district courts by
17 appointing a person from a list of not less than six nominees
18 for the vacancy presented by the judicial selection commission.
19 If the chief justice fails to make the appointment within thirty
20 days of presentation, or within ten days of the [~~senate's~~]
21 legislature's rejection of any previous appointment, the
22 appointment shall be made by the judicial selection commission



1 from the list with the consent of the [~~senate.~~] legislature.
2 The [~~senate~~] legislature shall hold a public hearing and vote on
3 each appointment within thirty days of any appointment. If the
4 [~~senate~~] legislature fails to do so, the nomination shall be
5 returned to the commission and the commission shall make the
6 appointment from the list without [~~senate~~] the consent[~~-~~] of the
7 legislature. The chief justice shall appoint per diem district
8 court judges as provided by law.

9 QUALIFICATIONS FOR APPOINTMENT

10 Justices and judges shall be residents and citizens of the
11 State and of the United States, and licensed to practice law by
12 the supreme court. A justice of the supreme court, a judge of
13 the intermediate appellate court and a judge of the circuit
14 court shall have been so licensed for a period of not less than
15 ten years preceding nomination. A judge of the district court
16 shall have been so licensed for a period of not less than five
17 years preceding nomination.

18 No justice or judge shall, during the term of office,
19 engage in the practice of law, or run for or hold any other
20 office or position of profit under the United States, the State
21 or its political subdivisions.

22 TENURE; RETIREMENT



1 The term of office of justices and judges of the supreme
2 court, intermediate appellate court and circuit courts shall be
3 ten years. Judges of district courts shall hold office for the
4 periods as provided by law. At least six months prior to the
5 expiration of a justice's or judge's term of office, every
6 justice and judge shall petition the judicial selection
7 commission to be retained in office or shall inform the
8 commission of an intention to retire. If the judicial selection
9 commission determines that the justice or judge should be
10 retained in office, the commission shall renew the term of
11 office of the justice or judge for the period provided by this
12 section or by law.

13 Justices and judges shall be retired upon attaining the age
14 of seventy years. They shall be included in any retirement law
15 of the State."

16 SECTION 10. Article VI, section 4, of the Constitution of
17 the State of Hawaii is amended to read as follows:

18 **"JUDICIAL SELECTION COMMISSION**

19 **Section 4.** There shall be a judicial selection commission
20 that shall consist of nine members. The governor shall appoint
21 two members to the commission. No more than one of the two
22 members shall be a licensed attorney. The ~~[president of the~~



1 ~~senate and the]~~ speaker of the ~~[house of representatives]~~
2 legislature shall ~~[each respectively]~~ appoint ~~[two]~~ four members
3 to the commission. The chief justice of the supreme court shall
4 appoint one member to the commission. Members in good standing
5 of the bar of the State shall elect two of their number to the
6 commission in an election conducted by the supreme court or its
7 delegate. No more than four members of the commission shall be
8 licensed attorneys. At all times, at least one member of the
9 commission shall be a resident of a county other than the City
10 and County of Honolulu.

11 The commission shall be selected and shall operate in a
12 wholly nonpartisan manner. After the initial formation of the
13 commission, elections and appointments to the commission shall
14 be for staggered terms of six years each. Notwithstanding the
15 foregoing, no member of the commission shall serve for more than
16 six years on the commission.

17 Each member of the judicial selection commission shall be a
18 resident of the State and a citizen of the United States. No
19 member shall run for or hold any other elected office under the
20 United States, the State or its political subdivisions. No
21 member shall take an active part in political management or in
22 political campaigns. No member shall be eligible for



1 appointment to the judicial office of the State so long as the
2 person is a member of the judicial commission and for a period
3 of three years thereafter.

4 No act of the judicial selection commission shall be valid
5 except by concurrence of the majority of its voting members.

6 The judicial selection commission shall select one of its
7 members to serve as chairperson. The commission shall adopt
8 rules which shall have the force and effect of law. The
9 deliberations of the commission shall be confidential.

10 The legislature shall provide for the staff and operating
11 expenses of the judicial selection commission in a separate
12 budget. No member of the judicial selection commission shall
13 receive any compensation for commission services, but shall be
14 allowed necessary expenses for travel, board and lodging
15 incurred in the performance of commission duties.

16 The judicial selection commission shall be attached to the
17 judiciary branch of the state government for purposes of
18 administration."

19 SECTION 11. Article VII, section 9, of the Constitution of
20 the State of Hawaii is amended to read as follows:

21 "LEGISLATIVE APPROPRIATIONS; PROCEDURES;

22 EXPENDITURE CEILING



1 **Section 9.** In each regular session in an odd-numbered
2 year, the legislature shall transmit to the governor an
3 appropriation bill or bills providing for the anticipated total
4 expenditures of the State for the ensuing fiscal biennium. In
5 such session, no appropriation bill, except bills recommended by
6 the governor for immediate passage, or to cover the expenses of
7 the legislature, shall be passed on final reading until the bill
8 authorizing operating expenditures for the ensuing fiscal
9 biennium, to be known as the general appropriations bill, shall
10 have been transmitted to the governor.

11 In each regular session in an even-numbered year, at such
12 time as may be provided by law, the governor may submit to the
13 legislature a bill to amend any appropriation for operating
14 expenditures of the current fiscal biennium, to be known as the
15 supplemental appropriations bill, and bills to amend any
16 appropriations for capital expenditures of the current fiscal
17 biennium, and at the same time the governor shall submit a bill
18 or bills to provide for any added revenues or borrowings that
19 such amendments may require. In each regular session in an
20 even-numbered year, bills may be introduced in the legislature
21 to amend any appropriation act or bond authorization act of the
22 current fiscal biennium or prior fiscal periods. In any such



1 session in which the legislature submits to the governor a
2 supplemental appropriations bill, no other appropriation bill,
3 except bills recommended by the governor for immediate passage,
4 or to cover the expenses of the legislature, shall be passed on
5 final reading until such supplemental appropriations bill shall
6 have been transmitted to the governor.

7 **GENERAL FUND EXPENDITURE CEILING**

8 Notwithstanding any other provision to the contrary, the
9 legislature shall establish a general fund expenditure ceiling
10 which shall limit the rate of growth of general fund
11 appropriations, excluding federal funds received by the general
12 fund, to the estimated rate of growth of the State's economy as
13 provided by law. No appropriations in excess of such ceiling
14 shall be authorized during any legislative session unless the
15 legislature shall, by a two-thirds vote of the members to which
16 ~~[each house of the legislature]~~ it is entitled, set forth the
17 dollar amount and the rate by which the ceiling will be exceeded
18 and the reasons therefor."

19 SECTION 12. Article VII, section 10, of the Constitution
20 of the State of Hawaii is amended to read as follows:

21 **"AUDITOR**



1 **Section 10.** The legislature, by a majority vote of [each
2 ~~house in joint session,~~] its members, shall appoint an auditor
3 who shall serve for a period of eight years and thereafter until
4 a successor shall have been appointed. The legislature, by a
5 two-thirds vote of [the] its members [~~in joint session~~], may
6 remove the auditor from office at any time for cause. It shall
7 be the duty of the auditor to conduct post-audits of the
8 transactions, accounts, programs and performance of all
9 departments, offices and agencies of the State and its political
10 subdivisions, to certify to the accuracy of all financial
11 statements issued by the respective accounting officers and to
12 report the auditor's findings and recommendations to the
13 governor and to the legislature at such times as shall be
14 provided by law. The auditor shall also make such additional
15 reports and conduct such other investigations as may be directed
16 by the legislature."

17 SECTION 13. Article VII, section 12, of the Constitution
18 of the State of Hawaii is amended to read as follows:

19 **"DEFINITIONS; ISSUANCE OF INDEBTEDNESS**

20 **Section 12.** For the purposes of this article:

21 1. The term "bonds" shall include bonds, notes and other
22 instruments of indebtedness.



2. The term "general obligation bonds" means all bonds for the payment of the principal and interest of which the full faith and credit of the State or a political subdivision are pledged and, unless otherwise indicated, includes reimbursable general obligation bonds.

3. The term "net revenues" or "net user tax receipts" means the revenues or receipts derived from:

a. A public undertaking, improvement or system remaining after the costs of operation, maintenance and repair of the public undertaking, improvement or system, and the required payments of the principal of and interest on all revenue bonds issued therefor, have been made; or

b. Any payments or return on security under a loan program or a loan thereunder, after the costs of operation and administration of the loan program, and the required payments of the principal of and interest on all revenue bonds issued therefor, have been made.

4. The term "person" means an individual, firm, partnership, corporation, association, cooperative or other legal entity, governmental body or agency, board, bureau or



1 other instrumentality thereof, or any combination of the
2 foregoing.

3 5. The term "rates, rentals and charges" means all
4 revenues and other moneys derived from the operation or lease of
5 a public undertaking, improvement or system, or derived from any
6 payments or return on security under a loan program or a loan
7 thereunder; provided that insurance premium payments,
8 assessments and surcharges, shall constitute rates, rentals and
9 charges of a state property insurance program.

10 6. The term "reimbursable general obligation bonds" means
11 general obligation bonds issued for a public undertaking,
12 improvement or system from which revenues, or user taxes, or a
13 combination of both, may be derived for the payment of the
14 principal and interest as reimbursement to the general fund and
15 for which reimbursement is required by law, and, in the case of
16 general obligation bonds issued by the State for a political
17 subdivision, general obligation bonds for which the payment of
18 the principal and interest as reimbursement to the general fund
19 is required by law to be made from the revenue of the political
20 subdivision.

21 7. The term "revenue bonds" means all bonds payable from
22 the revenues, or user taxes, or any combination of both, of a



1 public undertaking, improvement, system or loan program and any
2 loan made thereunder and secured as may be provided by law,
3 including a loan program to provide loans to a state property
4 insurance program providing hurricane insurance coverage to the
5 general public.

6 8. The term "special purpose revenue bonds" means all
7 bonds payable from rental or other payments made to an issuer by
8 a person pursuant to contract and secured as may be provided by
9 law.

10 9. The term "user tax" means a tax on goods or services or
11 on the consumption thereof, the receipts of which are
12 substantially derived from the consumption, use or sale of goods
13 and services in the utilization of the functions or services
14 furnished by a public undertaking, improvement or system;
15 provided that mortgage recording taxes shall constitute user
16 taxes of a state property insurance program.

17 The legislature, by a majority vote of the members to which
18 ~~[each house]~~ it is entitled, shall authorize the issuance of all
19 general obligation bonds, bonds issued under special improvement
20 statutes and revenue bonds issued by or on behalf of the State
21 and shall prescribe by general law the manner and procedure for
22 such issuance. The legislature by general law shall authorize



1 political subdivisions to issue general obligation bonds, bonds
2 issued under special improvement statutes and revenue bonds and
3 shall prescribe the manner and procedure for such issuance. All
4 such bonds issued by or on behalf of a political subdivision
5 shall be authorized by the governing body of such political
6 subdivision.

7 Special purpose revenue bonds shall only be authorized or
8 issued to finance facilities of or for, or to loan the proceeds
9 of such bonds to assist:

- 10 1. Manufacturing, processing, or industrial enterprises;
- 11 2. Utilities serving the general public;
- 12 3. Health care facilities provided to the general public
13 by not-for-profit corporations;
- 14 4. Early childhood education and care facilities provided
15 to the general public by not-for-profit corporations;
- 16 5. Low and moderate income government housing programs;
- 17 6. Not-for-profit private nonsectarian and sectarian
18 elementary schools, secondary schools, colleges and
19 universities; or
- 20 7. Agricultural enterprises serving important
21 agricultural lands,



1 each of which is hereinafter referred to in this paragraph as a
2 special purpose entity.

3 The legislature, by a two-thirds vote of the members to
4 which [~~each house~~] it is entitled, may enact enabling
5 legislation for the issuance of special purpose revenue bonds
6 separately for each special purpose entity, and, by a two-thirds
7 vote of the members to which [~~each house~~] it is entitled and by
8 separate legislative bill, may authorize the State to issue
9 special purpose revenue bonds for each single project or multi-
10 project program of each special purpose entity; provided that
11 the issuance of such special purpose revenue bonds is found to
12 be in the public interest by the legislature; and provided
13 further that the State may combine into a single issue of
14 special purpose revenue bonds two or more proposed issues of
15 special purpose revenue bonds to assist not-for-profit private
16 nonsectarian and sectarian elementary schools, secondary
17 schools, colleges, and universities, separately authorized as
18 aforesaid, in the total amount of not exceeding the aggregate of
19 the proposed separate issues of special purpose revenue bonds.
20 The legislature may enact enabling legislation to authorize
21 political subdivisions to issue special purpose revenue bonds.
22 If so authorized, a political subdivision by a two-thirds vote



1 of the members to which its governing body is entitled and by
2 separate ordinance may authorize the issuance of special purpose
3 revenue bonds for each single project or multi-project program
4 of each special purpose entity; provided that the issuance of
5 such special purpose revenue bonds is found to be in the public
6 interest by the governing body of the political subdivision. No
7 special purpose revenue bonds shall be secured directly or
8 indirectly by the general credit of the issuer or by any
9 revenues or taxes of the issuer other than receipts derived from
10 payments by a person or persons under contract or from any
11 security for such contract or contracts or special purpose
12 revenue bonds and no moneys other than such receipts shall be
13 applied to the payment thereof. The governor shall provide the
14 legislature in November of each year with a report on the
15 cumulative amount of all special purpose revenue bonds
16 authorized and issued, and such other information as may be
17 necessary."

18 SECTION 14. Article VII, section 13, of the Constitution
19 of the State of Hawaii is amended to read as follows:

20 **"DEBT LIMIT; EXCLUSIONS**

21 **Section 13.** General obligation bonds may be issued by the
22 State; provided that such bonds at the time of issuance would



1 not cause the total amount of principal and interest payable in
2 the current or any future fiscal year, whichever is higher, on
3 such bonds and on all outstanding general obligation bonds to
4 exceed: a sum equal to twenty percent of the average of the
5 general fund revenues of the State in the three fiscal years
6 immediately preceding such issuance until June 30, 1982; and
7 thereafter, a sum equal to eighteen and one-half percent of the
8 average of the general fund revenues of the State in the three
9 fiscal years immediately preceding such issuance. Effective
10 July 1, 1980, the legislature shall include a declaration of
11 findings in every general law authorizing the issuance of
12 general obligation bonds that the total amount of principal and
13 interest, estimated for such bonds and for all bonds authorized
14 and unissued and calculated for all bonds issued and
15 outstanding, will not cause the debt limit to be exceeded at the
16 time of issuance. Any bond issue by or on behalf of the State
17 may exceed the debt limit if an emergency condition is declared
18 to exist by the governor and concurred to by a two-thirds vote
19 of the members to which ~~[each house of]~~ the legislature is
20 entitled. For the purpose of this paragraph, general fund
21 revenues of the State shall not include moneys received as
22 grants from the federal government and receipts in reimbursement



1 of any reimbursable general obligation bonds which are excluded
2 as permitted by this section.

3 A sum equal to fifteen percent of the total of the assessed
4 values for tax rate purposes of real property in each political
5 subdivision, as determined by the last tax assessment rolls
6 pursuant to law, is established as the limit of the funded debt
7 of such political subdivision that is outstanding and unpaid at
8 any time.

9 All general obligation bonds for a term exceeding two years
10 shall be in serial form maturing in substantially equal
11 installments of principal, or maturing in substantially equal
12 installments of both principal and interest. The first
13 installment of principal of general obligation bonds and of
14 reimbursable general obligation bonds shall mature not later
15 than five years from the date of issue of such series. The last
16 installment on general obligation bonds shall mature not later
17 than twenty-five years from the date of such issue and the last
18 installment on general obligation bonds sold to the federal
19 government, on reimbursable general obligation bonds and on
20 bonds constituting instruments of indebtedness under which the
21 State or a political subdivision incurs a contingent liability
22 as a guarantor shall mature not later than thirty-five years



1 from the date of such issue. The interest and principal
2 payments of general obligation bonds shall be a first charge on
3 the general fund of the State or political subdivision, as the
4 case may be.

5 In determining the power of the State to issue general
6 obligation bonds or the funded debt of any political subdivision
7 under section 12, the following shall be excluded:

8 1. Bonds that have matured, or that mature in the then
9 current fiscal year, or that have been irrevocably called for
10 redemption and the redemption date has occurred or will occur in
11 the then fiscal year, or for the full payment of which moneys or
12 securities have been irrevocably set aside.

13 2. Revenue bonds, if the issuer thereof is obligated by
14 law to impose rates, rentals and charges for the use and
15 services of the public undertaking, improvement or system or the
16 benefits of a loan program or a loan thereunder or to impose a
17 user tax, or to impose a combination of rates, rentals and
18 charges and user tax, as the case may be, sufficient to pay the
19 cost of operation, maintenance and repair, if any, of the public
20 undertaking, improvement or system or the cost of maintaining a
21 loan program or a loan thereunder and the required payments of
22 the principal of and interest on all revenue bonds issued for



1 the public undertaking, improvement or system or loan program,
2 and if the issuer is obligated to deposit such revenues or tax
3 or a combination of both into a special fund and to apply the
4 same to such payments in the amount necessary therefor.

5 3. Special purpose revenue bonds, if the issuer thereof is
6 required by law to contract with a person obligating such person
7 to make rental or other payments to the issuer in an amount at
8 least sufficient to make the required payment of the principal
9 of and interest on such special purpose revenue bonds.

10 4. Bonds issued under special improvement statutes when
11 the only security for such bonds is the properties benefited or
12 improved or the assessments thereon.

13 5. General obligation bonds issued for assessable
14 improvements, but only to the extent that reimbursements to the
15 general fund for the principal and interest on such bonds are in
16 fact made from assessment collections available therefor.

17 6. Reimbursable general obligation bonds issued for a
18 public undertaking, improvement or system but only to the extent
19 that reimbursements to the general fund are in fact made from
20 the net revenue, or net user tax receipts, or combination of
21 both, as determined for the immediately preceding fiscal year.



1 7. Reimbursable general obligation bonds issued by the
2 State for any political subdivision, whether issued before or
3 after the effective date of this section, but only for as long
4 as reimbursement by the political subdivision to the State for
5 the payment of principal and interest on such bonds is required
6 by law; provided that in the case of bonds issued after the
7 effective date of this section, the consent of the governing
8 body of the political subdivision has first been obtained; and
9 provided further that during the period that such bonds are
10 excluded by the State, the principal amount then outstanding
11 shall be included within the funded debt of such political
12 subdivision.

13 8. Bonds constituting instruments of indebtedness under
14 which the State or any political subdivision incurs a contingent
15 liability as a guarantor, but only to the extent the principal
16 amount of such bonds does not exceed seven percent of the
17 principal amount of outstanding general obligation bonds not
18 otherwise excluded under this section; provided that the State
19 or political subdivision shall establish and maintain a reserve
20 in an amount in reasonable proportion to the outstanding loans
21 guaranteed by the State or political subdivision as provided by
22 law.



1 9. Bonds issued by or on behalf of the State or by any
2 political subdivision to meet appropriations for any fiscal
3 period in anticipation of the collection of revenues for such
4 period or to meet casual deficits or failures of revenue, if
5 required to be paid within one year, and bonds issued by or on
6 behalf of the State to suppress insurrection, to repel invasion,
7 to defend the State in war or to meet emergencies caused by
8 disaster or act of God.

9 The total outstanding indebtedness of the State or funded
10 debt of any political subdivision and the exclusions therefrom
11 permitted by this section shall be made annually and certified
12 by law or as provided by law. For the purposes of section 12
13 and this section, amounts received from on-street parking may be
14 considered and treated as revenues of a parking undertaking.

15 Nothing in section 12 or in this section shall prevent the
16 refunding of any bond at any time."

17 SECTION 15. Article X, 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. The
21 governor shall nominate and, by and with the advice and consent



1 of the [~~senate~~₇] legislature, appoint the members of the board
2 of education, as provided by law."

3 SECTION 16. Article X, section 6, of the Constitution of
4 the State of Hawaii is amended to read as follows:

5 **"BOARD OF REGENTS; POWERS**

6 **Section 6.** There shall be a board of regents of the
7 University of Hawaii, the members of which shall be nominated
8 and, by and with the advice and consent of the [~~senate~~₇]
9 legislature, appointed by the governor from pools of qualified
10 candidates presented to the governor by the candidate advisory
11 council for the board of regents of the University of Hawaii, as
12 provided by law. At least part of the membership of the board
13 shall represent geographic subdivisions of the State. The board
14 shall have the power to formulate policy, and to exercise
15 control over the university through its executive officer, the
16 president of the university, who shall be appointed by the
17 board. The board shall also have exclusive jurisdiction over
18 the internal structure, management, and operation of the
19 university. This section shall not limit the power of the
20 legislature to enact laws of statewide concern. The legislature
21 shall have the exclusive jurisdiction to identify laws of
22 statewide concern."



1 SECTION 17. Article XI, section 8, of the Constitution of
2 the State of Hawaii is amended to read as follows:

3 **"NUCLEAR ENERGY**

4 **Section 8.** No nuclear fission power plant shall be
5 constructed or radioactive material disposed of in the State
6 without the prior approval by a two-thirds vote [~~in each house~~]
7 of the legislature."

8 SECTION 18. Article XVI, section 4, of the Constitution of
9 the State of Hawaii is amended to read as follows:

10 **"OATH OF OFFICE**

11 **Section 4.** All eligible public officers, before entering
12 upon the duties of their respective offices, shall take and
13 subscribe to the following oath or affirmation: "I do solemnly
14 swear (or affirm) that I will support and defend the
15 Constitution of the United States, and the Constitution of the
16 State of Hawaii, and that I will faithfully discharge my duties
17 as to the best of my ability." As used
18 in this section, "eligible public officers" means the governor,
19 the lieutenant governor, the members of [~~both houses of~~] the
20 legislature, the members of the board of education, the members
21 of the national guard, State or county employees who possess



1 police powers, district court judges, and all those whose
2 appointment requires the consent of the ~~[senate.]~~ legislature."

3 SECTION 19. Article XVII, section 3, of the Constitution
4 of the State of Hawaii is amended to read as follows:

5 **"AMENDMENTS PROPOSED BY LEGISLATURE**

6 **Section 3.** The legislature may propose amendments to the
7 constitution by adopting the same, in the manner required for
8 legislation, by a two-thirds vote ~~[of each house]~~ on final
9 reading at any session, after ~~[either or both houses]~~ the
10 legislature shall have given the governor at least ten days'
11 written notice of the final form of the proposed amendment, or,
12 with or without such notice, by a majority vote ~~[of each house]~~
13 on final reading at each of two successive sessions.

14 Upon such adoption, the proposed amendments shall be
15 entered upon the journals, with the ayes and noes, and published
16 once in each of four successive weeks in at least one newspaper
17 of general circulation in each ~~[senatorial]~~ legislative district
18 wherein such a newspaper is published, within the two months'
19 period immediately preceding the next general election.

20 At such general election the proposed amendments shall be
21 submitted to the electorate for approval or rejection upon a
22 separate ballot.



1 The conditions of and requirements for ratification of such
2 proposed amendments shall be the same as provided in section 2
3 of this article for ratification at a general election."

4 SECTION 20. Article IV, section 5, of the Constitution of
5 the State of Hawaii is repealed.

6 ~~["MINIMUM REPRESENTATION FOR BASIC ISLAND UNITS~~

7 ~~Section 5. The representation of any basic island unit~~
8 ~~initially allocated less than a minimum of two senators and~~
9 ~~three representatives shall be augmented by allocating thereto~~
10 ~~the number of senators or representatives necessary to attain~~
11 ~~such minimums which number, notwithstanding the provisions of~~
12 ~~Sections 2 and 3 of Article III shall be added to the membership~~
13 ~~of the appropriate body until the next reapportionment. The~~
14 ~~senators or representatives of any basic island unit so~~
15 ~~augmented shall exercise a fractional vote wherein the numerator~~
16 ~~is the number initially allocated and the denominator is the~~
17 ~~minimum above specified. "]~~

18 SECTION 21. The question to be printed on the ballot shall
19 be as follows:

20 "Shall:

21 (1) The legislature be changed from a bicameral legislature
22 with a house of representatives and a senate to a



1 unicameral legislature with only one chamber, to be
2 known as the legislature, commencing after the general
3 election in November 2014;

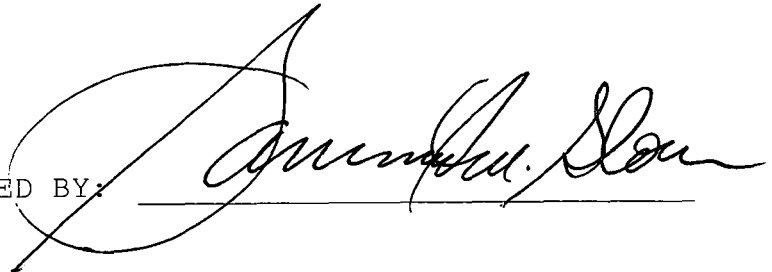
- 4 (2) The total number of legislators be changed from
5 seventy-six to fifty-one legislators representing
6 fifty-one single-member districts, who shall serve
7 staggered terms of four years each; and
- 8 (3) The composition of the reapportionment commission be
9 changed to provide that four members each shall be
10 appointed by the speaker and minority leader of the
11 legislature, with appointees choosing the ninth member;
12 and change the composition of the judicial selection
13 commission to require four members to be appointed by
14 the speaker of the legislature, with the governor to
15 appoint two members, the chief justice to appoint one
16 member, and the members of the bar to elect two
17 members?"

18 SECTION 22. Constitutional material to be repealed is
19 bracketed and stricken. New constitutional material is
20 underscored.



1 SECTION 23. This amendment shall take effect upon
2 compliance with article XVII, section 3, of the Constitution of
3 the State of Hawaii.
4

INTRODUCED BY: _____



S.B. NO. 2154

Report Title:

Unicameral Legislature

Description:

Proposes constitutional amendments to create a unicameral legislature to be known as the legislature which shall consist of fifty-one members serving four year terms; and which shall commence after the general election in November 2014. Provides that the speaker of the legislature and the minority leader shall each appoint four members to the reapportionment commission. Provides that the speaker of the legislature shall appoint four members to the judicial selection commission.

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

