

JAN 23 2015

S.B. NO. 817

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 2, OF THE HAWAII
CONSTITUTION TO CHANGE THE METHOD OF RATIFYING A
CONSTITUTIONAL AMENDMENT.

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

1 SECTION 1. The purpose of this Act is to propose an
2 amendment to article XVII, section 2, of the Constitution of the
3 State of Hawaii to require a simple majority to ratify
4 constitutional amendments.

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

7 **"CONSTITUTIONAL CONVENTION**

8 **Section 2.** The legislature may submit to the electorate at
9 any general or special election the question, "Shall there be a
10 convention to propose a revision of or amendments to the
11 Constitution?" If any nine-year period shall elapse during
12 which the question shall not have been submitted, the lieutenant
13 governor shall certify the question, to be voted on at the first
14 general election following the expiration of such period.

15 **ELECTION OF DELEGATES**



1 If a majority of the ballots cast upon such a question be
2 in the affirmative, delegates to the convention shall be chosen
3 at the next regular election unless the legislature shall
4 provide for the election of delegates at a special election.

5 Notwithstanding any provision in this constitution to the
6 contrary, other than Section 3 of Article XVI, any qualified
7 voter of the district concerned shall be eligible to membership
8 in the convention.

9 The legislature shall provide for the number of delegates
10 to the convention, the areas from which they shall be elected
11 and the manner in which the convention shall convene. The
12 legislature shall also provide for the necessary facilities and
13 equipment for the convention. The convention shall have the
14 same powers and privileges, as nearly as practicable, as
15 provided for the convention of 1978.

16 MEETING

17 The constitutional convention shall convene not less than
18 five months prior to the next regularly scheduled general
19 election.

20 ORGANIZATION; PROCEDURE



1 The convention shall determine its own organization and
2 rules of procedure. It shall be the sole judge of the
3 elections, returns and qualifications of its members and, by a
4 two-thirds vote, may suspend or remove any member for cause.
5 The governor shall fill any vacancy by appointment of a
6 qualified voter from the district concerned.

7 **RATIFICATION; APPROPRIATIONS**

8 The convention shall provide for the time and manner in
9 which the proposed constitutional revision or amendments shall
10 be submitted to a vote of the electorate; provided that each
11 amendment shall be submitted in the form of a question embracing
12 but one subject; and provided further, that each question shall
13 have designated spaces to mark YES or NO on the amendment.

14 At least thirty days prior to the submission of any
15 proposed revision or amendments, the convention shall make
16 available for public inspection, a full text of the proposed
17 amendments. Every public library, office of the clerk of each
18 county, and the chief election officer shall be provided such
19 texts and shall make them available for public inspection. The
20 full text of any proposed revision or amendments shall also be
21 made available for inspection at every polling place on the day



1 of the election at which such revision or amendments are
2 submitted.

3 The convention shall, as provided by law, be responsible
4 for a program of voter education concerning each proposed
5 revision or amendment to be submitted to the electorate.

6 The revision or amendments shall be effective only if
7 approved at a general election by a majority of ~~[all the votes~~
8 ~~tallied upon the question, this majority constituting at least~~
9 ~~fifty per cent of the total vote cast at the election, or at a~~
10 ~~special election by a majority of all the votes tallied upon the~~
11 ~~question, this majority constituting at least thirty per cent of~~
12 ~~the total number of registered voters.]~~ the voters voting
13 thereon.

14 The provisions of this section shall be self-executing, but
15 the legislature shall make the necessary appropriations and may
16 enact legislation to facilitate their operation."

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

19 "Shall the method of ratifying a constitutional amendment
20 be changed from approval by a majority constituting at
21 least 50 per cent of the total votes cast, or a majority



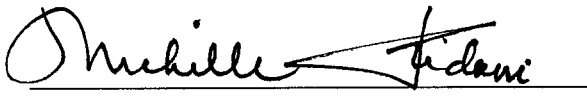

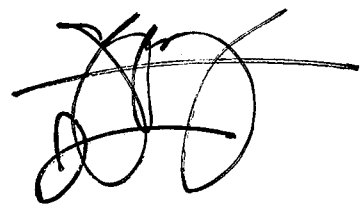
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1 constituting at least 30 per cent of the total number of
2 registered voters in a special election, to approval by a
3 majority of votes voted upon the question?"

4 SECTION 4. Constitutional material to be repealed is
5 bracketed and stricken. New constitutional material is
6 underscored.

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

10
INTRODUCED BY:



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Report Title:

Constitutional Amendment; Ratification

Description:

Changes the means of ratifying a constitutional amendment by requiring a simple majority vote approving the amendment.

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

