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# A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII  
STATE CONSTITUTION TO ADDRESS THE SELECTION OF MEMBERS OF  
THE REAPPORTIONMENT COMMISSION.

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

1       SECTION 1. The purpose of this Act is to ensure the  
2 participation of all political parties in the reapportionment  
3 process by proposing an amendment to article IV, section 2, of  
4 the Constitution of the State of Hawaii to provide that, if  
5 there are no members belonging to the minority party or parties  
6 in a house of the legislature, the presiding officer of the  
7 respective house of the legislature, after consulting with the  
8 chair of the minority party, shall designate persons having  
9 membership in the minority party to serve on the reapportionment  
10 commission.

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

13                   **"REAPPORTIONMENT COMMISSION**

14       **Section 2.** A reapportionment commission shall be  
15 constituted on or before May 1 of each reapportionment year and  
16 whenever reapportionment is required by court order. The



1 commission shall consist of nine members. The president of the  
2 senate and the speaker of the house of representatives shall  
3 each select two members. Members of each house belonging to the  
4 party or parties different from that of the president or the  
5 speaker shall designate one of their number for each house and  
6 the two so designated shall each select two members of the  
7 commission.

8 If no member of the house of representatives belongs to a  
9 party different from that of the speaker, then the chairperson  
10 of the minority party shall nominate three persons to the  
11 speaker, who shall select two members of the commission from the  
12 three persons nominated.

13 If no member of the senate belongs to a party different  
14 from that of the president, then the chairperson of the minority  
15 party shall nominate three persons to the president, who shall  
16 select two members of the commission from the three persons  
17 nominated.

18 The eight members so selected, promptly after selection,  
19 shall be certified by the selecting authorities to the chief  
20 election officer and within thirty days thereafter, shall  
21 select, by a vote of six members, and promptly certify to the



1 chief election officer the ninth member who shall serve as  
2 chairperson of the commission.

3 Each of the four officials designated above as selecting  
4 authorities for the eight members of the commission, at the time  
5 of the commission selections, shall also select one person from  
6 each basic island unit to serve on an apportionment advisory  
7 council for that island unit. The councils shall remain in  
8 existence during the life of the commission and each shall serve  
9 in an advisory capacity to the commission for matters affecting  
10 its island unit.

11 A vacancy in the commission or a council shall be filled by  
12 the initial selecting authority within fifteen days after the  
13 vacancy occurs. Commission and council positions and vacancies  
14 not filled within the times specified shall be filled promptly  
15 thereafter by the supreme court.

16 The commission shall act by majority vote of its membership  
17 and shall establish its own procedures, except as may be  
18 provided by law.

19 Not more than one hundred fifty days from the date on which  
20 its members are certified, the commission shall file with the  
21 chief election officer a reapportionment plan for the state



1 legislature and a reapportionment plan for the United States  
2 congressional districts which shall become law after publication  
3 as provided by law. Members of the commission shall hold office  
4 until each reapportionment plan becomes effective or until such  
5 time as may be provided by law.

6 No member of the reapportionment commission or an  
7 apportionment advisory council shall be eligible to become a  
8 candidate for election to either house of the legislature or to  
9 the United States House of Representatives in either of the  
10 first two elections under any such reapportionment plan.

11 Commission and apportionment advisory council members shall  
12 be compensated and reimbursed for their necessary expenses as  
13 provided by law.

14 The chief election officer shall be secretary of the  
15 commission without vote and, under the direction of the  
16 commission, shall furnish all necessary technical services. The  
17 legislature shall appropriate funds to enable the commission to  
18 carry out its duties."

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



1            "To meet the constitutional requirement of equal  
2       representation of all political parties on the  
3       reapportionment commission, if there are no members  
4       belonging to a minority party in a house of the  
5       legislature, shall the chair of the minority party  
6       nominate three persons to the presiding officer of  
7       each house of the legislature, who shall then select  
8       two members of the reapportionment commission from the  
9       three persons nominated?"

10       SECTION 4.   New constitutional material is underscored.

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



**Report Title:**

Reapportionment Commission; Selection of Members; Political Parties; Constitutional Amendment

**Description:**

Proposes an amendment to the Constitution of the State of Hawaii to ensure participation of all political parties on the Reapportionment Commission by providing that if there are no members belonging to a minority party in a house of the legislature, the chair of the minority party shall nominate three persons to the presiding officer of each house of the legislature, who shall then select two members of the reapportionment commission from the three persons nominated.  
(SD1)

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

