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## A BILL FOR AN ACT

PROPOSING TO AMEND SECTIONS OF ARTICLE V OF THE HAWAII STATE  
CONSTITUTION.

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

1       SECTION 1. The legislature finds that Hawaii is one of  
2 only eight states in which the candidates for both governor and  
3 lieutenant governor are subject to joint general elections but  
4 separate primary elections. The legislature believes that as  
5 the lieutenant governor serves as a potential source of guidance  
6 and support for the governor, a more cohesive relationship  
7 between the two officers would enhance the productivity of the  
8 state government.

9       The legislature finds that this cohesive relationship would  
10 be achieved by amending the Constitution of the State of Hawaii  
11 to require each political party's gubernatorial nominee to  
12 choose a running mate who would become the party's nominee for  
13 lieutenant governor. The legislature acknowledges, however,  
14 that if this proposed amendment is made, another constitutional  
15 amendment should also be made to require a special election for  
16 the offices of the governor and lieutenant governor if the



1 office of the governor becomes vacant. This latter amendment is  
2 necessary to ensure that the people of the State will have  
3 sufficient opportunity to evaluate the merits of the next  
4 governor.

5 The purpose of this Act is to propose to amend Article V,  
6 sections 2 and 4 of the Constitution of the State of Hawaii to  
7 achieve the ends described above.

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

10 **"LIEUTENANT GOVERNOR**

11 **Section 2.** There shall be a lieutenant governor who shall  
12 have the same qualifications as the governor. The lieutenant  
13 governor shall be elected at the same time~~[7]~~ and for the same  
14 term ~~[and in the same manner]~~ as the governor; provided that  
15 following the primary election, the candidate of each political  
16 party for the office of governor shall appoint a person from the  
17 same political party to be the candidate of that party for  
18 lieutenant governor; provided further that the votes cast in the  
19 general election for the nominee for governor shall be deemed  
20 cast for the nominee for lieutenant governor ~~[of]~~ from the same  
21 political party. No person shall be elected to the office of



1 lieutenant governor for more than two consecutive full terms.  
2 The lieutenant governor shall perform such duties as may be  
3 provided by law."

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

6 "[~~SUCCESSION TO GOVERNORSHIP;~~] ABSENCE OR  
7 DISABILITY OF GOVERNOR; VACANCY; SPECIAL ELECTION

8 Section 4. [~~When the office of governor is vacant, the~~  
9 ~~lieutenant governor shall become governor.~~] In the event of the  
10 absence of the governor from the State, or the governor's  
11 inability to exercise and discharge the powers and duties of the  
12 governor's office, such powers and duties shall devolve upon the  
13 lieutenant governor during such absence or disability. When the  
14 office of the governor is vacant, the powers and duties of the  
15 office shall temporarily devolve upon the lieutenant governor to  
16 the same extent that applies during a governor's absence or  
17 disability; provided that if more than \_\_\_\_\_ days remain  
18 in the gubernatorial term, the State shall conduct a special  
19 election no later than ninety days after the date of the vacancy  
20 for the purpose of electing candidates to hold the offices of  
21 the governor and the lieutenant governor for the remainder of



1 the gubernatorial term. The votes cast in the special election  
2 for a candidate for governor shall be deemed cast for the  
3 candidate's choice for lieutenant governor. The candidates  
4 elected to the office of the governor and the office of the  
5 lieutenant governor shall assume their respective offices on the  
6 date of the certification of the results of the election.

7       When the office of lieutenant governor is vacant, or in the  
8 event of the absence of the lieutenant governor from the State,  
9 or the lieutenant governor's inability to exercise and discharge  
10 the powers and duties of the lieutenant governor's office, such  
11 powers and duties shall devolve upon such officers in such order  
12 of succession as may be provided by law.

13       In the event of the impeachment of the governor or of the  
14 lieutenant governor, the governor or the lieutenant governor  
15 shall not exercise the powers of the applicable office until  
16 acquitted."

17       SECTION 4. The question to be printed on the ballot shall  
18 be as follows:

19               "Shall the Constitution of the State of Hawaii be  
20 amended to have the nominee for lieutenant governor be  
21 appointed by a gubernatorial nominee, following the



1 primary election, for the same term and from the same  
2 political party as the gubernatorial nominee, rather  
3 than be nominated in a separate election; and that  
4 when the office of the governor is vacant, the  
5 lieutenant governor shall temporarily have the powers  
6 and duties of the office, rather than become governor;  
7 provided that if more than days remain in a  
8 vacated gubernatorial term, a special election shall  
9 be conducted to elect a governor and lieutenant  
10 governor, who shall hold their offices from the date  
11 of the certification of the special election results  
12 to the end of the vacated gubernatorial term?"

13 SECTION 5. Constitutional material to be repealed is  
14 bracketed and stricken. New constitutional material is  
15 underscored.

16 SECTION 6. This amendment shall take effect upon  
17 compliance with article XVII, section 3, of the Constitution of  
18 the State of Hawaii.

19  
INTRODUCED BY: 

JAN 14 2022



# H.B. NO. 1420

**Report Title:**

Constitutional Amendment; Governor; Lieutenant Governor;  
Appointment; Elections; Vacancies

**Description:**

Proposes an amendment to article V, section 2, of the Hawaii State Constitution to require that each gubernatorial nominee appoint a person from the same political party to be a running mate for Lieutenant Governor in the general election. Proposes an amendment to article V, section 4, of the Constitution to provide when the office of the governor is vacant, the Lieutenant Governor shall temporarily have the powers and duties of the office; provided that if a certain number of days remain in the gubernatorial term, a special election shall elect a Governor and Lieutenant Governor, who shall serve from the date of the certification of the special election results to the end of the vacated term.

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

