



1 and shall be certified by the signatures of more than ten  
2 percent of the electors who voted in the State's most recent  
3 gubernatorial election. The initiative petition shall be filed  
4 with the chief election officer no later than ninety days before  
5 the general election at which the initiative measure is to be  
6 submitted to the electorate.

7 Each initiative measure shall embrace but one subject,  
8 which shall be expressed in its title. The enacting clause of  
9 an initiative measure shall be, "Be it enacted by the people of  
10 the State of Hawaii."

11 No initiative measure that names any individual to hold any  
12 office shall be submitted or have any effect. No initiative  
13 measure that 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. No initiative measure that  
16 proposes to change the state budget, including adding, amending  
17 or deleting any budget item, shall be submitted or have any  
18 effect. No initiative measure that proposes to change the levy  
19 of taxes, including adding, amending or repealing any tax rate,  
20 tax credit, tax deduction, tax exemption or any other provision  
21 relating to the levy of taxes, shall be submitted or have any



1 effect. No initiative measure that includes or excludes any  
2 political subdivision of the State in the application or effect  
3 of its provisions shall be submitted or have any effect. No  
4 initiative measure that compromises or potentially compromises  
5 the environment, public health or public safety shall be  
6 submitted or have any effect. No initiative measure that  
7 contains alternative, contingent or cumulative provisions under  
8 which different provisions would take effect depending on the  
9 percentage of votes cast for or against the measure shall be  
10 submitted or have any effect.

11 An initiative measure shall be submitted to the electorate  
12 .for approval or rejection by ballot, as provided by law. The  
13 ballot shall be phrased in a manner that enables voters to  
14 express their choice on the measure by providing a "yes" or "no"  
15 response, under which a "yes" vote constitutes an affirmative  
16 vote for the measure, as the measure is written; provided that  
17 any measure that would prohibit a specific activity or terminate  
18 an existing right or privilege shall be presented on the ballot  
19 in a manner that a "yes" vote constitutes an affirmative choice  
20 to continue the activity, existing right or privilege.









# S.B. NO. 2766

1 be amended to meet the governor's objections and, if so amended  
2 and passed, only one reading being required in each house for  
3 such passage, it shall be presented again to the governor, but  
4 shall become law only if the governor shall sign it within ten  
5 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 SECTION 6. Article XVII, section 1, of the Constitution of  
12 the State of Hawaii is amended to read as follows:

13 **"METHODS OF PROPOSAL**

14 **Section 1.** Revisions of or amendments to this constitution  
15 may be proposed by constitutional convention, ~~or~~ by the  
16 legislature ~~or~~ or by the people by initiative under Article II,  
17 Section \_\_\_\_\_."

18 SECTION 7. Article XVII, section 4, of the Constitution of  
19 the State of Hawaii is amended to read as follows:

20 **"VETO**



1           **Section 4.** No proposal for amendment of the constitution  
2 adopted in [~~either~~] any manner provided by this article or  
3 Article II, Section \_\_\_\_\_, shall be subject to veto by the  
4 governor."

5           SECTION 8. Article XVII, section 5, of the Constitution of  
6 the State of Hawaii is amended to read as follows:

7                           **"CONFLICTING REVISIONS OR AMENDMENTS**

8           **Section 5.** If a revision or amendment proposed by a  
9 constitutional convention is in conflict with a revision or  
10 amendment proposed by the legislature and both are submitted to  
11 the electorate at the same election and both are approved, then  
12 the revision or amendment proposed by the convention shall  
13 prevail. If a revision or amendment proposed by the legislature  
14 is in conflict with a revision or amendment proposed by the  
15 electorate by initiative under Article II, Section \_\_\_\_\_, and both  
16 are approved, then the revision or amendment proposed by  
17 initiative shall prevail. If conflicting revisions or  
18 amendments are proposed by the same body and are submitted to  
19 the electorate at the same election and both are approved, then  
20 the revision or amendment receiving the highest number of votes  
21 shall prevail."



# S.B. NO. 2766

1 SECTION 9. The question to be printed on the ballot shall  
2 be as follows:

3 "Shall the Hawaii State Constitution be amended to empower  
4 the electorate to propose statutory and constitutional  
5 amendments by initiative and to approve or reject those  
6 amendments by ballot?"

7 SECTION 10. Constitutional material to be repealed is  
8 bracketed and stricken. New constitutional material is  
9 underscored.

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

13

INTRODUCED BY: *Dot*



# S.B. NO. 2766

**Report Title:**

Constitutional Amendment; Electorate; Direct Initiative

**Description:**

Proposes a constitutional amendment to provide the state electorate with the power to propose statutory and constitutional amendments by initiative and to approve or reject those amendments by ballot, as provided by law.

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

