

ACT 13

An Act Relating to the Proceedings of the Constitutional Convention Providing for Preparation, Printing, Sale and Distribution and Other Matters in Respect Thereof.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 11 of Article III of the Constitution of the State of Hawaii provides for the consideration and enactment in a budget session of all urgency measures deemed necessary in the public interest. Said section 11 further provides that no urgency measure shall be considered unless a statement of facts constituting such urgency shall be set forth in a section thereof and until such section shall have been first approved by each house. Pursuant to said Section 11 of Article III of the Constitution of the State of Hawaii, the act is hereby declared to be an urgency measure deemed necessary in the public interest. The following is a statement of facts constituting such urgency:

1. The proceedings of the Hawaii State Constitutional Convention of 1950 are now in the process of being published in two volumes under the direction of Miss Agnes C. Conrad, archivist. Volume I is expected to be published by the end of March 1960 and Volume II is expected to be published by November, 1960. The funds for such publication have been made available by the Joint Legislative Committee of the 30th Legislature.

2. The matter of having the proceedings before the Constitutional Convention in printed form is necessary since it will assist in inter-

preting the provisions of the Hawaii State Constitution without having to bring in the original of all source materials from time to time. The proceedings of the Constitutional Convention have already been utilized in a case pending before the Supreme Court of Hawaii by stipulation of the parties and it is anticipated that it will be of value in other proceedings before the court as well as assisting government agencies and the people of Hawaii in determining the intent of the Constitutional provisions.

3. The publication of the two volumes will permit a wider dissemination of the proceedings of the Constitutional Convention, as well as eliminate the necessity of having the originals of all source materials used in all instances.

4. Therefore before the proceedings of the Constitutional Convention is printed and disseminated it is necessary to have the legislature authorize someone to print and publish said proceedings. The legislature therefore is of the opinion that a certification by a responsible official, in this case the public archivist, that the two volumes were printed and published under the archivist's direction should be attached to the two volumes.

5. This act will also authorize the distribution of said publication to certain government agencies for official use without charge and to authorize the sale thereof to the public.

SECTION 2. The preparation, printing, sale and distribution of the proceedings of the Hawaii State Constitutional Convention of 1950 shall be done under the direction of the archivist of the public archives, as provided in section 3 of this act.

SECTION 3. Such proceedings shall be printed in two volumes. Volume I shall consist of several sections, which shall include the daily journal of the convention and other matters here set out.

Section A of Volume I shall consist of all parts of the journal except the portions included in sections B or D.

Section B of Volume I shall include the resolutions, committee reports and committee proposals, messages, communications and petitions appearing in the journal.

Section C of Volume I shall consist of a digest of proposals offered by delegates, and tables showing disposition and legislative history.

Section D of Volume I shall set out Act 334 of the Session Laws of 1949 under which the convention was convened, the rules of the convention, and the Constitution as agreed upon by the delegates and adopted by the people on November 7, 1950, together with the changes made by the plebiscite of June 27, 1959.

Volume II shall consist of the debates of the Committee of the Whole, as transcribed from the tape recordings under the supervision of the archivist and assembled by subject matter, together with a table of contents and index.

The two volumes, having been prepared and printed in accordance with the provisions of this act, shall be certified by the archivist as having been so prepared and printed.

SECTION 4. The sale of the publication shall be at a charge of \$20 per set; however, government agencies shall receive this publication for

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official use without cost. Moneys received from the sale of this publication shall be deposited in the general fund of the State.

SECTION 5. This act shall take effect upon its approval.

(Approved May 10, 1960.) **S.B. 236.**
