

1 operation, including the timing and manner of a recall election;
2 provided that the legislation may not restrict or limit the
3 provisions of this section or the powers reserved in this
4 section.

5 A recall measure shall be submitted to the people for a
6 recall vote with the signatures of registered voters of not less
7 than twenty-five percent of all votes cast for all candidates
8 for the office subject to recall at the general election
9 preceding the filing of the recall petition.

10 In districts in which the people cast their votes for
11 multiple representation in a particular office in that district,
12 the total votes cast for all candidates for that office in the
13 last general election shall be divided by the number of persons
14 in that particular office to obtain the number of signatures
15 needed.

16 Only those registered voters who are entitled to cast votes
17 for the officer named on the recall petition shall be qualified
18 to sign the recall petition and to vote in the recall election.

19 The recall petition shall state the reason for the recall
20 vote. Unresponsiveness to the needs of the officer's
21 constituents shall be adequate reason for the recall of any
22 elected state officer.



1 No recall petition shall be filed against any elected state
2 officer unless the officer has served more than one hundred
3 eighty days of the officer's term of office. No recall petition
4 shall be filed within one hundred eighty days of the end of an
5 elected state officer's term of office. Upon receipt of a
6 properly filed recall petition, the chief election officer shall
7 proclaim a recall special election within thirty days after the
8 petition has been certified to be sufficient.

9 A recall shall be approved by the majority of the votes
10 cast indicating "yes" or "no" thereon but not including blank
11 ballots. Any vacancy that may be created shall be filled as
12 prescribed by law.

13 If a recall vote fails to recall the affected officer, the
14 affected officer shall not be subject to another recall vote for
15 the remainder of the term of office to which the officer was
16 elected to serve.

17 Prior to the circulation of any recall petition for
18 signature, a copy shall be submitted to the attorney general who
19 shall prepare a title and summary of the chief purpose and aim
20 of the proposed measure within seven business days. The title
21 shall not exceed ten words and the summary shall not exceed
22 fifty words.



1 All recall petitions shall be submitted for certification
2 to the chief election officer. Every sheet of the petition
3 containing signatures shall be attached to the title, summary
4 and text of the recall petition. No laws shall be enacted
5 limiting the number of copies of a petition which may be
6 circulated. Any registered voter of this State shall be
7 competent to solicit signatures. No person circulating a
8 petition shall be eligible to receive any compensation for
9 services as a petition circulator. All signers shall add their
10 name and address as shown on their voter registration form, and
11 the date upon which they signed the petition.

12 When fewer than five thousand signatures are required on a
13 petition, the petition circulators shall have sixty days in
14 which to obtain the required number of signatures of qualified
15 voters. When between five thousand and ten thousand signatures
16 are required on a petition, the petition circulators shall have
17 ninety days in which to obtain the required number of signatures
18 of qualified voters. When between ten thousand and fifty
19 thousand signatures are required on a petition, the petition
20 circulators shall have one hundred twenty days in which to
21 obtain the required number of signatures of qualified voters.
22 When between fifty thousand and one hundred thousand signatures



1 are required on a petition, the petition circulators shall have
2 one hundred sixty days in which to obtain the required number of
3 signatures of qualified voters. When more than one hundred
4 thousand signatures are required on a petition, the petition
5 circulators shall have one hundred eighty days in which to
6 obtain the required number of signatures of qualified voters.

7 Every sheet of the petition containing signatures shall be
8 verified by affidavit of the petition circulator that each name
9 on the sheet was signed in the presence of the affiant and that
10 in the belief of the affiant each signer is a registered voter
11 of the State, and of the affected district in the case of a
12 recall petition so limited. The chief election officer shall
13 certify that the signers are registered voters of this State,
14 and of the affected district in the case of a recall petition so
15 limited.

16 The chief election officer shall not release a petition for
17 inspection by the public or any governmental agency, except
18 where the supreme court orders inspection of the petition, when
19 a question has been raised regarding the sufficiency of the
20 petition. If any petition under this section has been
21 determined to be insufficient, the petition shall be returned to
22 the circulators within sixty days of its filing with a statement



1 of the specific insufficiencies. Petition circulators shall
2 have additional time in which to correct the specific
3 insufficiencies of a petition, in accordance with the provisions
4 of this section governing the amount of time allowed to obtain
5 petitioners' signatures.

6 Any measure under this section shall be presented to the
7 people in such a form that a "yes" vote, on a yes or no ballot,
8 shall indicate an affirmative vote for the measure as the
9 measure is written.

10 The recall measure shall be effective, if approved, one day
11 after the election results are announced unless otherwise
12 provided for in the measure.

13 The petitioners shall bear all costs of the preparation and
14 circulation of the petition, except for the services performed
15 by the attorney general under this section. After the petition
16 has been filed with the chief election officer, all further
17 costs shall be part of the usual expenditures of the State."

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

20 "Shall the State Constitution be amended to provide for the
21 recall of state elected officials?"

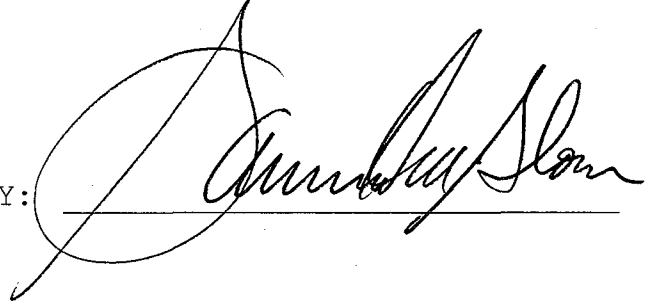
22 SECTION 4. New constitutional material is underscored.



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

4

INTRODUCED BY: _____



Report Title:

Recall

Description:

Amends article II of the state constitution to provide for recall.

