

JAN 28 2009

S.B. NO. 1170

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII
STATE CONSTITUTION TO ADD FOUR MEMBERS TO THE
REAPPORTIONMENT COMMISSION TO REPRESENT CITIZEN
ORGANIZATIONS.

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

1 SECTION 1. The purpose of this Act is to propose an
2 amendment to article IV, section 2, of the Constitution of the
3 State of Hawaii to add four members to the reapportionment
4 commission to represent citizen organizations.

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

7 **"REAPPORTIONMENT COMMISSION**

8 **Section 2.** A reapportionment commission shall be
9 constituted on or before May 1 of each reapportionment year and
10 whenever reapportionment is required by court order. The
11 commission shall consist of [~~nine~~] thirteen members. The
12 president of the senate and the speaker of the house of
13 representatives shall each select two members. Members of each
14 house belonging to the party or parties different from that of
15 the president or the speaker shall designate one of their number
16 for each house and the two so designated shall each select two



1 members of the commission. The chief justice shall select four
2 members to represent citizen organizations. The [~~eight~~] twelve
3 members so selected, promptly after selection, shall be
4 certified by the selecting authorities to the chief election
5 officer and within thirty days thereafter, shall select, by a
6 vote of [~~six~~] nine members, and promptly certify to the chief
7 election officer the [~~ninth~~] thirteenth member who shall serve
8 as chairperson of the commission.

9 Each of the four legislative officials designated above as
10 selecting authorities for [~~the~~] eight members of the commission,
11 at the time of the commission selections, shall also select one
12 person from each basic island unit to serve on an apportionment
13 advisory council for that island unit. The councils shall
14 remain in existence during the life of the commission and each
15 shall serve in an advisory capacity to the commission for
16 matters affecting its island unit.

17 A vacancy in the commission or a council shall be filled by
18 the initial selecting authority within fifteen days after the
19 vacancy occurs. Commission and council positions and vacancies
20 not filled within the times specified shall be filled promptly
21 thereafter by the supreme court.



1 The commission shall act by majority vote of its membership
2 and shall establish its own procedures, except as may be
3 provided by law.

4 Not more than one hundred fifty days from the date on which
5 its members are certified, the commission shall file with the
6 chief election officer a reapportionment plan for the state
7 legislature and a reapportionment plan for the United States
8 congressional districts which shall become law after publication
9 as provided by law. Members of the commission shall hold office
10 until each reapportionment plan becomes effective or until such
11 time as may be provided by law.

12 No member of the reapportionment commission or an
13 apportionment advisory council shall be eligible to become a
14 candidate for election to either house of the legislature or to
15 the United States House of Representatives in either of the
16 first two elections under any such reapportionment plan.

17 Commission and apportionment advisory council members shall
18 be compensated and reimbursed for their necessary expenses as
19 provided by law.

20 The chief election officer shall be secretary of the
21 commission without vote and, under the direction of the
22 commission, shall furnish all necessary technical services. The



1 legislature shall appropriate funds to enable the commission to
2 carry out its duties."

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

5 "Shall the reapportionment commission be expanded from nine
6 to thirteen members, with the additional four members
7 representing citizen organizations and appointed by the
8 chief justice of the Hawaii Supreme Court?"

9 SECTION 4. Constitutional material to be repealed is
10 bracketed and stricken. New constitutional material is
11 underscored.

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

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INTRODUCED BY:

Richard D. ...
Will ...
Amil ...
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Report Title:

Reapportionment Commission

Description:

Proposes a constitutional amendment to add four members to the reapportionment commission, representing citizen organizations, to be appointed by the chief justice.

