

---

## A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII  
STATE CONSTITUTION TO ADD A RESIDENCY REQUIREMENT FOR  
MEMBERS APPOINTED TO THE REAPPORTIONMENT COMMISSION.

**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 Constitution of the State  
3 of Hawaii, to add residency requirements for certain members  
4 appointed to the reapportionment commission.

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 members. The president of the  
12 senate and the speaker of the house of representatives shall  
13 each select two members[-] who shall each be a resident of a  
14 different basic island unit from the other. Members of each  
15 house belonging to the party or parties different from that of  
16 the president or the speaker shall designate one of their number  
17 for each house and the two so designated shall each select two



1 members[-] who shall each be a resident of a different basic  
2 island unit from the other. The eight members so selected,  
3 promptly after selection, shall be certified by the selecting  
4 authorities to the chief election officer and within thirty days  
5 thereafter, shall select, by a vote of six members, and promptly  
6 certify to the chief election officer the ninth member who shall  
7 serve as chairperson of the commission.

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

16 A vacancy in the commission or a council shall be filled by  
17 the initial selecting authority within fifteen days after the  
18 vacancy occurs. Commission and council positions and vacancies  
19 not filled within the times specified shall be filled promptly  
20 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 Constitution of the State of Hawaii be amended to  
6 require that the officials designated as selecting  
7 authorities for the Reapportionment Commission each select  
8 two persons from different basic island units?"

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  
13 compliance with article XVII, section 3, of the Constitution of  
14 the State of Hawaii.



**Report Title:**

Reapportionment Commission; Member Selection; Constitutional Amendment

**Description:**

Proposes a constitutional amendment to require that the members of the Reapportionment Commission selected by the Senate President and Speaker of the House of Representatives, and the members selected by each of the legislators from the party or parties that are different from the Speaker and President's respective parties, be residents of different counties. (HB2401 HD1)

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

