
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 the Constitution of the
3 State of Hawaii, to add residency requirements for certain
4 members 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 of the commission[+] who shall each be a resident of a
2 different basic island unit from the other. The eight members
3 so selected, promptly after selection, shall be certified by the
4 selecting authorities to the chief election officer and within
5 thirty days thereafter, shall select, by a vote of six members,
6 and promptly certify to the chief election officer the ninth
7 member who shall 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:

Constitutional Amendment; Reapportionment Commission; Member Selection

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 HD2)

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