

1 **Section 1.** There shall be established a citizens assembly
2 to consider and propose constitutional and statutory revisions
3 or amendments to the laws governing elections, political
4 campaigns, campaign finance, reapportionment, legislative
5 process, ethics, and public access to information.

6 The citizens assembly shall be composed of twenty-five
7 members who are registered voters in the State and who are
8 selected at random from population categories that are broadly
9 representative of the adult population of the State as to age,
10 gender, ethnicity, socioeconomic status, and geographical
11 distribution; provided that the method of selection of the
12 members shall be as provided by law.

13 The citizens assembly shall convene in each odd-numbered
14 year, starting in July, and shall disband after the next general
15 election.

16 **Section 2.** The citizens assembly shall consider
17 constitutional revisions or amendments upon request by the
18 legislature by concurrent resolution. The citizens assembly
19 shall consider constitutional or statutory revisions or
20 amendments relating only to the subjects of elections, political
21 campaigns, campaign finance, reapportionment, legislative
22 process, ethics, and public access to information.



1 changes, submitted by the citizens assembly to the voters for
2 approval shall embrace but one subject, which shall be expressed
3 in its title.

4 Each proposal shall be submitted to the electorate for
5 approval or rejection upon a separate ballot at the next general
6 election. The conditions of and requirements for ratification
7 of a proposed revision or amendment shall be the same as
8 provided in Section 2 of Article XVII, except that a revision or
9 amendment shall be effective only if approved by two-thirds of
10 all the votes tallied upon the question.

11 **Section 4.** The provisions of this article shall be self-
12 executing, but the legislature shall make the necessary
13 appropriations and may enact legislation to facilitate their
14 operation, including the method for the selection of the members
15 of the citizen assembly."

16 **SECTION 3.** Article III, section 1, of the Constitution of
17 the State of Hawaii is amended to read as follows:

18 **"THE LEGISLATURE**

19 **LEGISLATIVE POWER**

20 **Section 1.** The legislative power of the State shall be
21 vested in a legislature, which shall consist of two houses, a
22 senate and a house of representatives [~~Such power~~]; provided



1 that the citizens assembly shall have the power to propose
 2 constitutional and statutory revisions or amendments to certain
 3 laws pursuant to article II.A. The legislative power shall
 4 extend to all rightful subjects of legislation not inconsistent
 5 with this constitution or the Constitution of the United
 6 States."

7 SECTION 4. Article III, section 14, of the Constitution of
 8 the State of Hawaii is amended to read as follows:

9 **"BILLS; ENACTMENT**

10 **Section 14.** No law shall be passed by the legislature
 11 except by bill. Each law shall embrace but one subject, which
 12 shall be expressed in its title. The enacting clause of each
 13 law enacted by the legislature shall be, "Be it enacted by the
 14 legislature of the State of Hawaii."

15 SECTION 5. Article XVII, section 1, of the Constitution of
 16 the State of Hawaii is amended to read as follows:

17 **"METHODS OF PROPOSAL**

18 **Section 1.** Revisions of or amendments to this constitution
 19 may be proposed by constitutional convention [~~or~~], by the
 20 legislature[~~-~~], or by the citizens assembly."

21 SECTION 6. Article XVII, section 4, of the Constitution of
 22 the State of Hawaii is amended to read as follows:



1 "VETO

2 Section 4. No proposal for amendment of the constitution
3 adopted in either manner provided by this article or by
4 referendum shall be subject to veto by the governor."

5 SECTION 7. Article XVII, section 5, of the Constitution of
6 the State of Hawaii is amended to read as follows:

7 "CONFLICTING REVISIONS OR AMENDMENTS

8 Section 5. If a revision or amendment proposed by a
9 constitutional convention is in conflict with a revision or
10 amendment proposed by the legislature and both are submitted to
11 the electorate at the same election and both are approved, then
12 the revision or amendment proposed by the convention shall
13 prevail. If a revision or amendment proposed by the citizens
14 assembly is in conflict with a revision or amendment proposed by
15 the legislature and both are submitted to the electorate at the
16 same election and both are approved, then the revision or
17 amendment proposed by the citizens assembly shall prevail. If a
18 revision or amendment proposed by a constitutional convention is
19 in conflict with a revision or amendment proposed by the
20 citizens assembly and both are submitted to the electorate at
21 the same election and both are approved, then the revision or
22 amendment proposed by the convention shall prevail. If



1 conflicting revisions or amendments are proposed by the same
2 body and are submitted to the electorate at the same election
3 and both are approved, then the revision or amendment receiving
4 the highest number of votes shall prevail."

5 SECTION 8. The question to be printed on the ballot shall
6 be as follows:

7 "Shall the state constitution be amended to provide for a
8 citizens assembly and to authorize the citizens assembly to
9 propose constitutional and statutory revisions or
10 amendments to the laws governing elections, political
11 campaigns, campaign finance, reapportionment, legislative
12 process, ethics, public access to information, and to
13 establish referendum which is the process of referring a
14 proposal for the revision or amendment of statutory law or
15 of the state constitution, together with any related
16 statutory changes, to the voters for final approval?"

17 SECTION 9. Constitutional material to be repealed is
18 bracketed and stricken. New constitutional material is
19 underscored.

20 SECTION 10. This amendment shall take effect upon
21



S.B. NO. 76

1 compliance with article XVII, section 3, of the Constitution of
2 the State of Hawaii.

3

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "John A. Burns", is written over a horizontal line.

Report Title:

Constitutional Amendment; Citizen Assembly; Referendum

Description:

Proposes a constitutional amendment to provide for a citizens assembly and to authorize the citizens assembly to propose constitutional and statutory revisions or amendments to the laws governing elections, political campaigns, campaign finance, ethics, referendum, reapportionment, legislative process, public access to information, and campaign finance, and to establish a referendum.

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