

JAN 21 2011

S.B. NO. 865

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## A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION TO PROVIDE FOR A  
UNICAMERAL LEGISLATURE.

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

1           SECTION 1. Currently, the state legislature is comprised  
2 of two houses that operate independently. This bicameral  
3 legislative structure provides a system of checks and balances  
4 to facilitate legislative deliberation, provides safeguards  
5 against the passage of carelessly drafted legislation, and  
6 promotes openness in government by affording citizens more  
7 opportunities to express their opinions. In recent years,  
8 however, the system has become extremely cumbersome and  
9 inefficient.

10           The existing bicameral system is replete with duplication in  
11 committee structure, staffing, and legislation introduced.  
12 Procedures and policies differ, sometimes substantially, between  
13 the two houses, making it time-consuming, confusing, and more  
14 difficult for citizen participation. Moreover, the two houses  
15 often take diametrically opposed positions on significant  
16 issues. This often results in inaction, or in important and  
17 controversial decisions being made by conference committees,



1 where special interests can be more easily accommodated than in  
2 the more open, deliberative standing committee hearings.

3 A unicameral legislature would eliminate unnecessary  
4 duplication and would provide better citizen access to the  
5 legislative process. Conversion to a unicameral system would  
6 result in immediate cost savings as the total number of  
7 legislators, staff, and legislative measures would decrease.

8 The purpose of this Act is to amend the Constitution of the  
9 State of Hawaii to:

10 (1) Change the legislature from a bicameral legislature  
11 with a house of representatives and a senate to a  
12 unicameral legislature with only one chamber, to be  
13 known as the legislature, commencing after the general  
14 election in November 2012;

15 (2) Change the total number of legislators from seventy-  
16 six to fifty-one legislators representing fifty-one  
17 single-member districts, who serve staggered terms of  
18 four years each; and

19 (3) Change the composition of the reapportionment  
20 commission to require four members each to be  
21 appointed by the speaker and minority leader of the  
22 legislature, with appointees choosing the ninth



1 member; and change the composition of the judicial  
2 selection commission to require four members to be  
3 appointed by the speaker of the legislature, with the  
4 governor to appoint two members, the chief justice to  
5 appoint one member, and members of the bar to elect  
6 two members.

7 Until such time as a new apportionment plan is filed, it is  
8 the intent of the legislature that the apportionment plan for  
9 the house of representatives in effect at the time this Act  
10 becomes effective shall apply to the new unicameral legislature.

11 SECTION 2. Article III, of the Constitution of the State  
12 of Hawaii is amended to read as follows:

13 **"LEGISLATIVE POWER**

14 **Section 1.** [~~The~~] Commencing after the general election in  
15 November 2012, the legislative power of the State shall be  
16 vested in a legislature, which shall consist of [~~two houses, a~~  
17 ~~senate and a house of representatives.~~] one chamber which shall  
18 be known as the legislature. Such power shall extend to all  
19 rightful subjects of legislation not inconsistent with this  
20 constitution or the Constitution of the United States.

21 **[COMPOSITION OF SENATE**



1        ~~Section 2.~~ The senate shall be composed of twenty five  
2 members, who shall be elected by the qualified voters of the  
3 respective senatorial districts. ~~Until the next reapportionment~~  
4 ~~the senatorial districts and the number of senators to be~~  
5 ~~elected from each shall be as set forth in the Schedule.]~~

6            COMPOSITION OF [~~HOUSE OF REPRESENTATIVES~~] LEGISLATURE

7        Section 3. The [~~house of representatives~~] legislature  
8 shall be composed of fifty-one members, who shall be elected by  
9 the qualified voters of the respective [~~representative~~] single  
10 member legislative districts. [~~Until the next reapportionment,~~  
11 ~~the representative~~] The legislative districts [~~and the number of~~  
12 ~~representatives to be elected from each~~] shall be as set forth  
13 [~~in the Schedule.~~] by the reapportionment commission.

14            ELECTION OF MEMBERS; TERM

15        Section 4. Each member of the legislature shall be elected  
16 at an election. If more than one candidate has been nominated  
17 for election to a seat in the legislature, the member occupying  
18 that seat shall be elected at a general election. If a  
19 candidate nominated for a seat at a primary election is  
20 unopposed for that seat at the general election, the candidate  
21 shall be deemed elected at the primary election. The term of  
22 office of a member of the [~~house of representatives~~] legislature



1 shall be [~~two years and the term of office of a member of the~~  
2 ~~senate shall be~~] four years[-]; provided that of the legislators  
3 elected to the term commencing after the general election in  
4 November 2012, the members of the legislature shall serve  
5 staggered terms of office as provided in Article IV, Section 7  
6 of this Constitution. The term of a member of the legislature  
7 shall begin on the day of the general election at which elected  
8 or if elected at a primary election, on the day of the general  
9 election immediately following the primary election at which  
10 elected. [~~For a member of the house of representatives, the~~  
11 ~~term shall end on the day of the general election immediately~~  
12 ~~following the day the member's term commences. For a member of~~  
13 ~~the senate, the]~~ The term of a member of the legislature shall  
14 end on the day of the second general election immediately  
15 following the day the member's term commences.

#### 16 VACANCIES

17 Section 5. Any vacancy in the legislature shall be filled  
18 for the unexpired term in such manner as may be provided by law,  
19 or, if no provision be made by law, by appointment by the  
20 governor for the unexpired term.

#### 21 QUALIFICATIONS OF MEMBERS



1           **Section 6.** ~~[No person shall be eligible to serve as a~~  
2 ~~member of the senate unless the person has been a resident of~~  
3 ~~the State for not less than three years, has attained the age of~~  
4 ~~majority and is, prior to filing nomination papers and~~  
5 ~~thereafter continues to be, a qualified voter of the senatorial~~  
6 ~~district from which the person seeks to be elected; except that~~  
7 ~~in the year of the first general election following~~  
8 ~~reapportionment, but prior to the primary election, an incumbent~~  
9 ~~senator may move to a new district without being disqualified~~  
10 ~~from completing the remainder of the incumbent senator's term.]~~  
11 No person shall be eligible to serve as a member of the [house  
12 of representatives] legislature unless the person has been a  
13 resident of the State for not less than three years, has  
14 attained the age of majority and is, prior to filing nomination  
15 papers and thereafter continues to be, a qualified voter of the  
16 [~~representative~~] legislative district from which the person  
17 seeks to be elected; except that in the year of the first  
18 general election following reapportionment, but prior to the  
19 primary election, an incumbent [~~representative~~] legislator may  
20 move to a new district without being disqualified from  
21 completing the remainder of the incumbent [~~representative's~~]  
22 legislator's term.









1 ~~[each house]~~ the legislature is entitled or may be granted by  
2 the governor.

3 Each regular session shall be recessed for not less than  
4 five days at some period between the twentieth and fortieth days  
5 of the regular session. The legislature shall determine the  
6 dates of the mandatory recess by ~~[concurrent]~~ resolution. Any  
7 session may be recessed by ~~[concurrent]~~ resolution adopted by a  
8 majority of the members to which ~~[each house]~~ the legislature is  
9 entitled. Saturdays, Sundays, holidays, the days in mandatory  
10 recess and any days in recess pursuant to a ~~[concurrent]~~  
11 resolution shall be excluded in computing the number of days of  
12 any session.

13 All sessions shall be held in the capital of the State. In  
14 case the capital shall be unsafe, the governor may direct that  
15 any session be held at some other place.

16 **ADJOURNMENT**

17 ~~Section 11. Neither house shall adjourn during any session~~  
18 ~~of the legislature for more than three days, or sine die,~~  
19 ~~without the consent of the other.~~

20 **ORGANIZATION; DISCIPLINE; RULES; PROCEDURE**

21 **Section 12.** ~~[Each house]~~ The legislature shall be the  
22 judge of the elections, returns and qualifications of its ~~[own]~~



1 members and shall have, for misconduct, disorderly behavior or  
2 neglect of duty of any member, power to punish such member by  
3 censure or, upon a two-thirds vote of all the members to which  
4 ~~[such house]~~ the legislature is entitled, by suspension or  
5 expulsion of such member. ~~[Each house]~~ The legislature shall  
6 choose its own officers, determine the rules of its proceedings  
7 and keep a journal. The ayes and noes of the members on any  
8 question shall, at the desire of one-fifth of the members  
9 present, be entered upon the journal.

10 Twenty days after a bill has been referred to a committee  
11 ~~[in either house,]~~ of the legislature, the bill may be recalled  
12 from such committee by the affirmative vote of one-third of the  
13 members to which ~~[such house]~~ the legislature is entitled.

14 Every meeting or hearing of a committee in ~~[either house or~~  
15 ~~of a committee comprised of a member or members from both~~  
16 ~~houses]~~ the legislature held for the purpose of making decision  
17 on matters referred to the committee shall be open to the  
18 public.

19 By rule of its proceedings, ~~[applicable to both houses,~~  
20 ~~each house]~~ the legislature shall provide for the date by which  
21 all bills to be considered in a regular session shall be  
22 introduced.





1 have been made available to the members of [~~that house~~] the  
2 legislature for at least forty-eight hours.

3 [~~Every bill when passed by the house in which it~~  
4 ~~originated, or in which amendments thereto shall have~~  
5 ~~originated, shall immediately be certified by the presiding~~  
6 ~~officer and clerk and sent to the other house for~~  
7 ~~consideration.~~]

8 Any bill pending at the final adjournment of a regular  
9 session in an odd-numbered year shall carry over with the same  
10 status to the next regular session. [~~Before the carried over~~  
11 ~~bill is enacted, it shall pass at least one reading in the house~~  
12 ~~in which the bill originated.~~]

#### 13 APPROVAL OR VETO

14 **Section 16.** Every bill which shall have passed the  
15 legislature shall be certified by the [~~presiding officers and~~  
16 ~~clerks of both houses~~] speaker and the clerk of the legislature  
17 and shall thereupon be presented to the governor. If the  
18 governor approves it, the governor shall sign it and it shall  
19 become law. If the governor does not approve such bill, the  
20 governor may return it, with the governor's objections to the  
21 legislature. Except for items appropriated to be expended by  
22 the judicial and legislative branches, the governor may veto any



1 specific item or items in any bill which appropriates money for  
2 specific purposes by striking out or reducing the same; but the  
3 governor shall veto other bills, if at all, only as a whole.

4 The governor shall have ten days to consider bills  
5 presented to the governor ten or more days before the  
6 adjournment of the legislature sine die, and if any such bill is  
7 neither signed nor returned by the governor within that time, it  
8 shall become law in like manner as if the governor had signed  
9 it.

#### 10 RECONSIDERATION AFTER ADJOURNMENT

11 The governor shall have forty-five days, after the  
12 adjournment of the legislature sine die, to consider bills  
13 presented to the governor less than ten days before such  
14 adjournment, or presented after adjournment, and any such bill  
15 shall become law on the forty-fifth day unless the governor by  
16 proclamation shall have given ten days' notice to the  
17 legislature that the governor plans to return such bill with the  
18 governor's objections on that day. The legislature may convene  
19 at or before noon on the forty-fifth day in special session,  
20 without call, for the sole purpose of acting upon any such bill  
21 returned by the governor. In case the legislature shall fail to  
22 so convene, such bill shall not become law. Any such bill may



1 be amended to meet the governor's objections and, if so amended  
2 and passed, only one reading being required in [~~each house~~] the  
3 legislature for such passage, it shall be presented again to the  
4 governor, but shall become law only if the governor shall sign  
5 it within ten days after presentation.

6 In computing the number of days designated in this section,  
7 the following days shall be excluded: Saturdays, Sundays,  
8 holidays and any days in which the legislature is in recess  
9 prior to its adjournment as provided in section 10 of this  
10 article.

#### 11 PROCEDURES UPON VETO

12 **Section 17.** Upon the receipt of a veto message from the  
13 governor, [~~each house~~] the legislature shall enter the same at  
14 large upon its journal and proceed to reconsider the vetoed  
15 bill, or the item or items vetoed, and again vote upon such  
16 bill, or such item or items, by ayes and noes, which shall be  
17 entered upon its journal. If after such reconsideration such  
18 bill, or such item or items, shall be approved by a two-thirds  
19 vote of all members to which [~~each house~~] the legislature is  
20 entitled, the same shall become law.

#### 21 PUNISHMENT OF NONMEMBERS





1 conviction of impeachment for such causes as may be provided by  
2 law.

3       The [~~house of representatives~~] legislature shall have the  
4 sole power of impeachment of the governor and lieutenant  
5 governor and [~~the senate~~] the sole power to try such  
6 impeachments, and no such officer shall be convicted without the  
7 concurrence of two-thirds of the members of the [~~senate~~]  
8 legislature. When sitting for that purpose, the members of the  
9 [~~senate~~] legislature shall be on oath or affirmation and the  
10 chief justice shall preside. Subject to [~~the provisions of~~]  
11 this paragraph, the legislature may provide for the manner and  
12 procedure of removal by impeachment of such officers.

13       The legislature shall by law provide for the manner and  
14 procedure of removal by impeachment of the appointive officers.

15       Judgments in cases of impeachment shall not extend beyond  
16 removal from office and disqualification to hold and enjoy any  
17 office of honor, trust or profit under the State; but the person  
18 convicted may nevertheless be liable and subject to indictment,  
19 trial, judgment and punishment as provided by law."

20       SECTION 3. Article IV, section 2, of the Constitution of  
21 the State of Hawaii is amended to read as follows:

22                                   "REAPPORTIONMENT COMMISSION





1           **Section 2.** A reapportionment commission shall be  
2 constituted on or before May 1 of each reapportionment year and  
3 whenever reapportionment is required by court order. The  
4 commission shall consist of nine members. [~~The president of the~~  
5 ~~senate and the speaker of the house of representatives]~~ The  
6 speaker of the legislature and the minority leader shall each  
7 select [~~two~~] four members. [~~Members of each house belonging to~~  
8 ~~the party or parties different from that of the president or the~~  
9 ~~speaker shall designate one of their number for each house and~~  
10 ~~the two so designated shall each select two members of the~~  
11 ~~commission.] The eight members so selected, promptly after~~  
12 selection, shall be certified by the selecting authorities to  
13 the chief election officer and within thirty days thereafter,  
14 shall select, by a vote of six members, and promptly certify to  
15 the chief election officer the ninth member who shall serve as  
16 chairperson of the commission.

17           Each of the [~~four~~] officials designated above as selecting  
18 authorities for the eight members of the commission, at the time  
19 of the commission selections, shall also select one person from  
20 each basic island unit to serve on an apportionment advisory  
21 council for that island unit. The councils shall remain in  
22 existence during the life of the commission and each shall serve



1 in an advisory capacity to the commission for matters affecting  
2 its island unit.

3 A vacancy in the commission or a council shall be filled by  
4 the initial selecting authority within fifteen days after the  
5 vacancy occurs. Commission and council positions and vacancies  
6 not filled within the times specified shall be filled promptly  
7 thereafter by the supreme court.

8 The commission shall act by majority vote of its membership  
9 and shall establish its own procedures, except as may be  
10 provided by law.

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

19 No member of the reapportionment commission or an  
20 apportionment advisory council shall be eligible to become a  
21 candidate for election to [~~either house of~~] the legislature or



1 to the United States House of Representatives in either of the  
2 first two elections under any such reapportionment plan.

3 Commission and apportionment advisory council members shall  
4 be compensated and reimbursed for their necessary expenses as  
5 provided by law.

6 The chief election officer shall be secretary of the  
7 commission without vote and, under the direction of the  
8 commission, shall furnish all necessary technical services. The  
9 legislature shall appropriate funds to enable the commission to  
10 carry out its duties."

11 SECTION 4. Article IV, section 4, of the Constitution of  
12 the State of Hawaii is amended to read as follows:

13 **"APPORTIONMENT AMONG BASIC ISLAND UNITS**

14 **Section 4.** The commission shall allocate the total number  
15 of members of [~~each house of~~] the state legislature being  
16 reapportioned among the four basic island units, namely: (1)  
17 the island of Hawaii, (2) the islands of Maui, Lanai, Molokai  
18 and Kahoolawe, (3) the island of Oahu and all other islands not  
19 specifically enumerated, and (4) the islands of Kauai and  
20 Niihau, using the total number of permanent residents in each of  
21 the basic island units and computed by the method known as the



1 method of equal proportions; except that no basic island unit  
2 shall receive less than one member [~~in each house~~]."

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

5 "APPORTIONMENT WITHIN BASIC ISLAND UNITS

6 Section 6. Upon the determination of the total number of  
7 members of [~~each house of~~] the state legislature to which each  
8 basic island unit is entitled, the commission shall apportion  
9 the members among the districts therein and shall redraw  
10 district lines where necessary in such manner that [~~for each~~  
11 ~~house~~] the average number of permanent residents per member in  
12 each district is as nearly equal to the average for the basic  
13 island unit as practicable.

14 In effecting such redistricting, the commission shall be  
15 guided by the following criteria:

16 1. No district shall extend beyond the boundaries of any  
17 basic island unit.

18 2. No district shall be so drawn as to unduly favor a  
19 person or political faction.

20 3. Except in the case of districts encompassing more than  
21 one island, districts shall be contiguous.

22 4. Insofar as practicable, districts shall be compact.



1           5. Where possible, district lines shall follow permanent  
 2 and easily recognized features, such as streets, streams and  
 3 clear geographical features, and, when practicable, shall  
 4 coincide with census tract boundaries.

5           ~~[6. Where practicable, representative districts shall be~~  
 6 ~~wholly included within senatorial districts.]~~

7           ~~7.]~~ 6. Not more than ~~[four members]~~ one member shall be  
 8 elected from any district.

9           ~~[8.]~~ 7. Where practicable, submergence of an area in a  
 10 larger district wherein substantially different socio-economic  
 11 interests predominate shall be avoided."

12           SECTION 6. Article IV, section 7, of the Constitution of  
 13 the State of Hawaii is amended to read as follows:

14           **"ELECTION OF [SENATORS] LEGISLATORS AFTER REAPPORTIONMENT**

15           **Section 7.** Regardless of whether or not a [senator]  
 16 legislator is serving a term that would have extended past the  
 17 general election at which an apportionment plan becomes  
 18 effective, the term of office of all [senators] legislators  
 19 shall end at that general election. The staggered terms of  
 20 [senators] legislators in each district shall be recomputed as  
 21 established by the next section in this article, and the number



1 of ~~[senators]~~ legislators in a ~~[senatorial]~~ legislative district  
2 under the reapportionment plan of the commission."

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

5 "STAGGERED TERMS FOR THE ~~[SENATE]~~ LEGISLATURE

6 Section 8. The reapportionment commission shall, as part  
7 of the reapportionment plan, assign two-year terms for ~~[twelve~~  
8 ~~senate]~~ twenty-five legislative seats for the election  
9 immediately following the adoption of the reapportionment plan.  
10 The remaining seats shall be assigned four-year terms. Insofar  
11 as practicable, the commission shall assign the two-year terms  
12 to ~~[senate]~~ legislative seats so that the resident population of  
13 each ~~[senate]~~ legislative district shall have no more than two  
14 regular ~~[senate]~~ legislative elections for a particular ~~[senate]~~  
15 legislative seat within the six-year period beginning in the  
16 even-numbered year prior to the reapportionment year; provided  
17 that in the event of a multi-member ~~[senate]~~ legislative  
18 district, the ~~[senators]~~ legislators elected with the highest  
19 number of votes in that district in the election immediately  
20 following the adoption of the reapportionment plan shall fill  
21 the ~~[senate]~~ legislative seats in that district which were  
22 assigned the four-year terms by the commission."



1 SECTION 8. Article V, section 6, of the Constitution of  
2 the State of Hawaii is amended to read as follows:

3 "EXECUTIVE AND ADMINISTRATIVE OFFICES

4 AND DEPARTMENTS

5 Section 6. All executive and administrative offices,  
6 departments and instrumentalities of the state government and  
7 their respective powers and duties shall be allocated by law  
8 among and within not more than twenty principal departments in  
9 such a manner as to group the same according to common purposes  
10 and related functions. Temporary commissions or agencies for  
11 special purposes may be established by law and need not be  
12 allocated within a principal department.

13 Each principal department shall be under the supervision of  
14 the governor and, unless otherwise provided in this constitution  
15 or by law, shall be headed by a single executive. Such single  
16 executive shall be nominated and, by and with the advice and  
17 consent of the [~~senate,~~] legislature, appointed by the governor.  
18 That person shall hold office for a term to expire at the end of  
19 the term for which the governor was elected, unless sooner  
20 removed by the governor; except that the removal of the chief  
21 legal officer of the State shall be subject to the advice and  
22 consent of the [~~senate,~~] legislature.



1           Except as otherwise provided in this constitution, whenever  
2 a board, commission or other body shall be the head of a  
3 principal department of the state government, the members  
4 thereof shall be nominated and, by and with the advice and  
5 consent of the [~~senate,~~] legislature, appointed by the governor.  
6 The term of office and removal of such members shall be as  
7 provided by law. Such board, commission or other body may  
8 appoint a principal executive officer who, when authorized by  
9 law, may be an ex officio, voting member thereof, and who may be  
10 removed by a majority vote of the members appointed by the  
11 governor.

12           The governor shall nominate and, by and with the advice and  
13 consent of the [~~senate,~~] legislature, appoint all officers for  
14 whose election or appointment provision is not otherwise  
15 provided for by this constitution or by law. If the manner of  
16 removal of an officer is not prescribed in this constitution,  
17 removal shall be as provided by law.

18           When the [~~senate~~] legislature is not in session and a  
19 vacancy occurs in any office, appointment to which requires the  
20 confirmation of the [~~senate,~~] legislature, the governor may fill  
21 the office by granting a commission which shall expire, unless  
22 such appointment is confirmed, at the end of the next session of





1 the [~~senate-~~] legislature. The person so appointed shall not be  
2 eligible for another interim appointment to such office if the  
3 appointment failed to be confirmed by the [~~senate-~~] legislature.

4 No person who has been nominated for appointment to any  
5 office and whose appointment has not received the consent of the  
6 [~~senate~~] legislature shall be eligible to an interim appointment  
7 thereafter to such office.

8 Every officer appointed under the provisions of this  
9 section shall be a citizen of the United States and shall have  
10 been a resident of this State for at least one year immediately  
11 preceding that person's appointment, except that this residency  
12 requirement shall not apply to the president of the University  
13 of Hawaii."

14 SECTION 9. Article VI, section 3, of the Constitution of  
15 the State of Hawaii is amended to read as follows:

16 **"APPOINTMENT OF JUSTICES AND JUDGES**

17 **Section 3.** The governor, with the consent of the [~~senate-~~]  
18 legislature, shall fill a vacancy in the office of the chief  
19 justice, supreme court, intermediate appellate court and circuit  
20 courts, by appointing a person from a list of not less than  
21 four, and not more than six, nominees for the vacancy, presented  
22 to the governor by the judicial selection commission.



1           If the governor fails to make any appointment within thirty  
2 days of presentation, or within ten days of the [~~senate's~~  
3 legislature's rejection of any previous appointment, the  
4 appointment shall be made by the judicial selection commission  
5 from the list with the consent of the [~~senate-~~] legislature. If  
6 the [~~senate~~] legislature fails to reject any appointment within  
7 thirty days thereof, it shall be deemed to have given its  
8 consent to such appointment. If the [~~senate~~] legislature shall  
9 reject any appointment, the governor shall make another  
10 appointment from the list within ten days thereof. The same  
11 appointment and consent procedure shall be followed until a  
12 valid appointment has been made, or failing this, the commission  
13 shall make the appointment from the list, without [~~senate~~] the  
14 consent[-] of the legislature.

15           The chief justice, with the consent of the [~~senate,~~]  
16 legislature, shall fill a vacancy in the district courts by  
17 appointing a person from a list of not less than six nominees  
18 for the vacancy presented by the judicial selection commission.  
19 If the chief justice fails to make the appointment within thirty  
20 days of presentation, or within ten days of the [~~senate's~~]  
21 legislature's rejection of any previous appointment, the  
22 appointment shall be made by the judicial selection commission



1 from the list with the consent of the [~~senate~~] legislature.  
2 The [~~senate~~] legislature shall hold a public hearing and vote on  
3 each appointment within thirty days of any appointment. If the  
4 [~~senate~~] legislature fails to do so, the nomination shall be  
5 returned to the commission and the commission shall make the  
6 appointment from the list without [~~senate~~] the consent[-] of the  
7 legislature. The chief justice shall appoint per diem district  
8 court judges as provided by law.

#### 9 QUALIFICATIONS FOR APPOINTMENT

10 Justices and judges shall be residents and citizens of the  
11 State and of the United States, and licensed to practice law by  
12 the supreme court. A justice of the supreme court, a judge of  
13 the intermediate appellate court and a judge of the circuit  
14 court shall have been so licensed for a period of not less than  
15 ten years preceding nomination. A judge of the district court  
16 shall have been so licensed for a period of not less than five  
17 years preceding nomination.

18 No justice or judge shall, during the term of office,  
19 engage in the practice of law, or run for or hold any other  
20 office or position of profit under the United States, the State  
21 or its political subdivisions.

#### 22 TENURE; RETIREMENT



1           The term of office of justices and judges of the supreme  
2 court, intermediate appellate court and circuit courts shall be  
3 ten years. Judges of district courts shall hold office for the  
4 periods as provided by law. At least six months prior to the  
5 expiration of a justice's or judge's term of office, every  
6 justice and judge shall petition the judicial selection  
7 commission to be retained in office or shall inform the  
8 commission of an intention to retire. If the judicial selection  
9 commission determines that the justice or judge should be  
10 retained in office, the commission shall renew the term of  
11 office of the justice or judge for the period provided by this  
12 section or by law.

13           Justices and judges shall be retired upon attaining the age  
14 of seventy years. They shall be included in any retirement law  
15 of the State."

16           SECTION 10. Article VI, section 4, of the Constitution of  
17 the State of Hawaii is amended to read as follows:

18                           **"JUDICIAL SELECTION COMMISSION**

19           **Section 4.** There shall be a judicial selection commission  
20 that shall consist of nine members. The governor shall appoint  
21 two members to the commission. No more than one of the two  
22 members shall be a licensed attorney. The [~~president of the~~



1 ~~senate and the]~~ speaker of the ~~[house of representatives]~~  
2 legislature shall ~~[each respectively]~~ appoint ~~[two]~~ four members  
3 to the commission. The chief justice of the supreme court shall  
4 appoint one member to the commission. Members in good standing  
5 of the bar of the State shall elect two of their number to the  
6 commission in an election conducted by the supreme court or its  
7 delegate. No more than four members of the commission shall be  
8 licensed attorneys. At all times, at least one member of the  
9 commission shall be a resident of a county other than the City  
10 and County of Honolulu.

11 The commission shall be selected and shall operate in a  
12 wholly nonpartisan manner. After the initial formation of the  
13 commission, elections and appointments to the commission shall  
14 be for staggered terms of six years each. Notwithstanding the  
15 foregoing, no member of the commission shall serve for more than  
16 six years on the commission.

17 Each member of the judicial selection commission shall be a  
18 resident of the State and a citizen of the United States. No  
19 member shall run for or hold any other elected office under the  
20 United States, the State or its political subdivisions. No  
21 member shall take an active part in political management or in  
22 political campaigns. No member shall be eligible for



1 appointment to the judicial office of the State so long as the  
2 person is a member of the judicial commission and for a period  
3 of three years thereafter.

4 No act of the judicial selection commission shall be valid  
5 except by concurrence of the majority of its voting members.

6 The judicial selection commission shall select one of its  
7 members to serve as chairperson. The commission shall adopt  
8 rules which shall have the force and effect of law. The  
9 deliberations of the commission shall be confidential.

10 The legislature shall provide for the staff and operating  
11 expenses of the judicial selection commission in a separate  
12 budget. No member of the judicial selection commission shall  
13 receive any compensation for commission services, but shall be  
14 allowed necessary expenses for travel, board and lodging  
15 incurred in the performance of commission duties.

16 The judicial selection commission shall be attached to the  
17 judiciary branch of the state government for purposes of  
18 administration."

19 SECTION 11. Article VII, section 9, of the Constitution of  
20 the State of Hawaii is amended to read as follows:

21 "LEGISLATIVE APPROPRIATIONS; PROCEDURES;

22 EXPENDITURE CEILING



1           **Section 9.** In each regular session in an odd-numbered  
2 year, the legislature shall transmit to the governor an  
3 appropriation bill or bills providing for the anticipated total  
4 expenditures of the State for the ensuing fiscal biennium. In  
5 such session, no appropriation bill, except bills recommended by  
6 the governor for immediate passage, or to cover the expenses of  
7 the legislature, shall be passed on final reading until the bill  
8 authorizing operating expenditures for the ensuing fiscal  
9 biennium, to be known as the general appropriations bill, shall  
10 have been transmitted to the governor.

11           In each regular session in an even-numbered year, at such  
12 time as may be provided by law, the governor may submit to the  
13 legislature a bill to amend any appropriation for operating  
14 expenditures of the current fiscal biennium, to be known as the  
15 supplemental appropriations bill, and bills to amend any  
16 appropriations for capital expenditures of the current fiscal  
17 biennium, and at the same time the governor shall submit a bill  
18 or bills to provide for any added revenues or borrowings that  
19 such amendments may require. In each regular session in an  
20 even-numbered year, bills may be introduced in the legislature  
21 to amend any appropriation act or bond authorization act of the  
22 current fiscal biennium or prior fiscal periods. In any such



1 session in which the legislature submits to the governor a  
2 supplemental appropriations bill, no other appropriation bill,  
3 except bills recommended by the governor for immediate passage,  
4 or to cover the expenses of the legislature, shall be passed on  
5 final reading until such supplemental appropriations bill shall  
6 have been transmitted to the governor.

7 **GENERAL FUND EXPENDITURE CEILING**

8 Notwithstanding any other provision to the contrary, the  
9 legislature shall establish a general fund expenditure ceiling  
10 which shall limit the rate of growth of general fund  
11 appropriations, excluding federal funds received by the general  
12 fund, to the estimated rate of growth of the State's economy as  
13 provided by law. No appropriations in excess of such ceiling  
14 shall be authorized during any legislative session unless the  
15 legislature shall, by a two-thirds vote of the members to which  
16 ~~[each house of the legislature]~~ it is entitled, set forth the  
17 dollar amount and the rate by which the ceiling will be exceeded  
18 and the reasons therefor."

19 SECTION 12. Article VII, section 10, of the Constitution  
20 of the State of Hawaii is amended to read as follows:

21 **"AUDITOR**





1           **Section 10.** The legislature, by a majority vote of [each  
2 ~~house in joint session,~~ its members, shall appoint an auditor  
3 who shall serve for a period of eight years and thereafter until  
4 a successor shall have been appointed. The legislature, by a  
5 two-thirds vote of [the] its members [~~in joint session~~], may  
6 remove the auditor from office at any time for cause. It shall  
7 be the duty of the auditor to conduct post-audits of the  
8 transactions, accounts, programs and performance of all  
9 departments, offices and agencies of the State and its political  
10 subdivisions, to certify to the accuracy of all financial  
11 statements issued by the respective accounting officers and to  
12 report the auditor's findings and recommendations to the  
13 governor and to the legislature at such times as shall be  
14 provided by law. The auditor shall also make such additional  
15 reports and conduct such other investigations as may be directed  
16 by the legislature."

17           **SECTION 13.** Article VII, section 12, of the Constitution  
18 of the State of Hawaii is amended to read as follows:

19                   **"DEFINITIONS; ISSUANCE OF INDEBTEDNESS**

20           **Section 12.** For the purposes of this article:

21           1. The term "bonds" shall include bonds, notes and other  
22 instruments of indebtedness.



1           2. The term "general obligation bonds" means all bonds for  
2 the payment of the principal and interest of which the full  
3 faith and credit of the State or a political subdivision are  
4 pledged and, unless otherwise indicated, includes reimbursable  
5 general obligation bonds.

6           3. The term "net revenues" or "net user tax receipts"  
7 means the revenues or receipts derived from:

8           a. A public undertaking, improvement or system remaining  
9 after the costs of operation, maintenance and repair  
10 of the public undertaking, improvement or system, and  
11 the required payments of the principal of and interest  
12 on all revenue bonds issued therefor, have been made;  
13 or

14           b. Any payments or return on security under a loan  
15 program or a loan thereunder, after the costs of  
16 operation and administration of the loan program, and  
17 the required payments of the principal of and interest  
18 on all revenue bonds issued therefor, have been made.

19           4. The term "person" means an individual, firm,  
20 partnership, corporation, association, cooperative or other  
21 legal entity, governmental body or agency, board, bureau or



1 other instrumentality thereof, or any combination of the  
2 foregoing.

3 5. The term "rates, rentals and charges" means all  
4 revenues and other moneys derived from the operation or lease of  
5 a public undertaking, improvement or system, or derived from any  
6 payments or return on security under a loan program or a loan  
7 thereunder; provided that insurance premium payments,  
8 assessments and surcharges, shall constitute rates, rentals and  
9 charges of a state property insurance program.

10 6. The term "reimbursable general obligation bonds" means  
11 general obligation bonds issued for a public undertaking,  
12 improvement or system from which revenues, or user taxes, or a  
13 combination of both, may be derived for the payment of the  
14 principal and interest as reimbursement to the general fund and  
15 for which reimbursement is required by law, and, in the case of  
16 general obligation bonds issued by the State for a political  
17 subdivision, general obligation bonds for which the payment of  
18 the principal and interest as reimbursement to the general fund  
19 is required by law to be made from the revenue of the political  
20 subdivision.

21 7. The term "revenue bonds" means all bonds payable from  
22 the revenues, or user taxes, or any combination of both, of a



1 public undertaking, improvement, system or loan program and any  
2 loan made thereunder and secured as may be provided by law,  
3 including a loan program to provide loans to a state property  
4 insurance program providing hurricane insurance coverage to the  
5 general public.

6 8. The term "special purpose revenue bonds" means all  
7 bonds payable from rental or other payments made to an issuer by  
8 a person pursuant to contract and secured as may be provided by  
9 law.

10 9. The term "user tax" means a tax on goods or services or  
11 on the consumption thereof, the receipts of which are  
12 substantially derived from the consumption, use or sale of goods  
13 and services in the utilization of the functions or services  
14 furnished by a public undertaking, improvement or system;  
15 provided that mortgage recording taxes shall constitute user  
16 taxes of a state property insurance program.

17 The legislature, by a majority vote of the members to which  
18 [~~each house~~] it is entitled, shall authorize the issuance of all  
19 general obligation bonds, bonds issued under special improvement  
20 statutes and revenue bonds issued by or on behalf of the State  
21 and shall prescribe by general law the manner and procedure for  
22 such issuance. The legislature by general law shall authorize



1 political subdivisions to issue general obligation bonds, bonds  
2 issued under special improvement statutes and revenue bonds and  
3 shall prescribe the manner and procedure for such issuance. All  
4 such bonds issued by or on behalf of a political subdivision  
5 shall be authorized by the governing body of such political  
6 subdivision.

7 Special purpose revenue bonds shall only be authorized or  
8 issued to finance facilities of or for, or to loan the proceeds  
9 of such bonds to assist:

- 10 1. Manufacturing, processing, or industrial enterprises;
- 11 2. Utilities serving the general public;
- 12 3. Health care facilities provided to the general public  
13 by not-for-profit corporations;
- 14 4. Early childhood education and care facilities provided  
15 to the general public by not-for-profit corporations;
- 16 5. Low and moderate income government housing programs;
- 17 6. Not-for-profit private nonsectarian and sectarian  
18 elementary schools, secondary schools, colleges and  
19 universities; or
- 20 7. Agricultural enterprises serving important  
21 agricultural lands,



1 each of which is hereinafter referred to in this paragraph as a  
2 special purpose entity.

3       The legislature, by a two-thirds vote of the members to  
4 which [~~each house~~] it is entitled, may enact enabling  
5 legislation for the issuance of special purpose revenue bonds  
6 separately for each special purpose entity, and, by a two-thirds  
7 vote of the members to which [~~each house~~] it is entitled and by  
8 separate legislative bill, may authorize the State to issue  
9 special purpose revenue bonds for each single project or multi-  
10 project program of each special purpose entity; provided that  
11 the issuance of such special purpose revenue bonds is found to  
12 be in the public interest by the legislature; and provided  
13 further that the State may combine into a single issue of  
14 special purpose revenue bonds two or more proposed issues of  
15 special purpose revenue bonds to assist not-for-profit private  
16 nonsectarian and sectarian elementary schools, secondary  
17 schools, colleges, and universities, separately authorized as  
18 aforesaid, in the total amount of not exceeding the aggregate of  
19 the proposed separate issues of special purpose revenue bonds.  
20 The legislature may enact enabling legislation to authorize  
21 political subdivisions to issue special purpose revenue bonds.  
22 If so authorized, a political subdivision by a two-thirds vote



1 of the members to which its governing body is entitled and by  
2 separate ordinance may authorize the issuance of special purpose  
3 revenue bonds for each single project or multi-project program  
4 of each special purpose entity; provided that the issuance of  
5 such special purpose revenue bonds is found to be in the public  
6 interest by the governing body of the political subdivision. No  
7 special purpose revenue bonds shall be secured directly or  
8 indirectly by the general credit of the issuer or by any  
9 revenues or taxes of the issuer other than receipts derived from  
10 payments by a person or persons under contract or from any  
11 security for such contract or contracts or special purpose  
12 revenue bonds and no moneys other than such receipts shall be  
13 applied to the payment thereof. The governor shall provide the  
14 legislature in November of each year with a report on the  
15 cumulative amount of all special purpose revenue bonds  
16 authorized and issued, and such other information as may be  
17 necessary."

18 SECTION 14. Article VII, section 13, of the Constitution  
19 of the State of Hawaii is amended to read as follows:

20 **"DEBT LIMIT; EXCLUSIONS**

21 **Section 13.** General obligation bonds may be issued by the  
22 State; provided that such bonds at the time of issuance would



1 not cause the total amount of principal and interest payable in  
2 the current or any future fiscal year, whichever is higher, on  
3 such bonds and on all outstanding general obligation bonds to  
4 exceed: a sum equal to twenty percent of the average of the  
5 general fund revenues of the State in the three fiscal years  
6 immediately preceding such issuance until June 30, 1982; and  
7 thereafter, a sum equal to eighteen and one-half percent of the  
8 average of the general fund revenues of the State in the three  
9 fiscal years immediately preceding such issuance. Effective  
10 July 1, 1980, the legislature shall include a declaration of  
11 findings in every general law authorizing the issuance of  
12 general obligation bonds that the total amount of principal and  
13 interest, estimated for such bonds and for all bonds authorized  
14 and unissued and calculated for all bonds issued and  
15 outstanding, will not cause the debt limit to be exceeded at the  
16 time of issuance. Any bond issue by or on behalf of the State  
17 may exceed the debt limit if an emergency condition is declared  
18 to exist by the governor and concurred to by a two-thirds vote  
19 of the members to which ~~[each house of]~~ the legislature is  
20 entitled. For the purpose of this paragraph, general fund  
21 revenues of the State shall not include moneys received as  
22 grants from the federal government and receipts in reimbursement





1 of any reimbursable general obligation bonds which are excluded  
2 as permitted by this section.

3 A sum equal to fifteen percent of the total of the assessed  
4 values for tax rate purposes of real property in each political  
5 subdivision, as determined by the last tax assessment rolls  
6 pursuant to law, is established as the limit of the funded debt  
7 of such political subdivision that is outstanding and unpaid at  
8 any time.

9 All general obligation bonds for a term exceeding two years  
10 shall be in serial form maturing in substantially equal  
11 installments of principal, or maturing in substantially equal  
12 installments of both principal and interest. The first  
13 installment of principal of general obligation bonds and of  
14 reimbursable general obligation bonds shall mature not later  
15 than five years from the date of issue of such series. The last  
16 installment on general obligation bonds shall mature not later  
17 than twenty-five years from the date of such issue and the last  
18 installment on general obligation bonds sold to the federal  
19 government, on reimbursable general obligation bonds and on  
20 bonds constituting instruments of indebtedness under which the  
21 State or a political subdivision incurs a contingent liability  
22 as a guarantor shall mature not later than thirty-five years



1 from the date of such issue. The interest and principal  
2 payments of general obligation bonds shall be a first charge on  
3 the general fund of the State or political subdivision, as the  
4 case may be.

5 In determining the power of the State to issue general  
6 obligation bonds or the funded debt of any political subdivision  
7 under section 12, the following shall be excluded:

8 1. Bonds that have matured, or that mature in the then  
9 current fiscal year, or that have been irrevocably called for  
10 redemption and the redemption date has occurred or will occur in  
11 the then fiscal year, or for the full payment of which moneys or  
12 securities have been irrevocably set aside.

13 2. Revenue bonds, if the issuer thereof is obligated by  
14 law to impose rates, rentals and charges for the use and  
15 services of the public undertaking, improvement or system or the  
16 benefits of a loan program or a loan thereunder or to impose a  
17 user tax, or to impose a combination of rates, rentals and  
18 charges and user tax, as the case may be, sufficient to pay the  
19 cost of operation, maintenance and repair, if any, of the public  
20 undertaking, improvement or system or the cost of maintaining a  
21 loan program or a loan thereunder and the required payments of  
22 the principal of and interest on all revenue bonds issued for



1 the public undertaking, improvement or system or loan program,  
2 and if the issuer is obligated to deposit such revenues or tax  
3 or a combination of both into a special fund and to apply the  
4 same to such payments in the amount necessary therefor.

5 3. Special purpose revenue bonds, if the issuer thereof is  
6 required by law to contract with a person obligating such person  
7 to make rental or other payments to the issuer in an amount at  
8 least sufficient to make the required payment of the principal  
9 of and interest on such special purpose revenue bonds.

10 4. Bonds issued under special improvement statutes when  
11 the only security for such bonds is the properties benefited or  
12 improved or the assessments thereon.

13 5. General obligation bonds issued for assessable  
14 improvements, but only to the extent that reimbursements to the  
15 general fund for the principal and interest on such bonds are in  
16 fact made from assessment collections available therefor.

17 6. Reimbursable general obligation bonds issued for a  
18 public undertaking, improvement or system but only to the extent  
19 that reimbursements to the general fund are in fact made from  
20 the net revenue, or net user tax receipts, or combination of  
21 both, as determined for the immediately preceding fiscal year.



1           7. Reimbursable general obligation bonds issued by the  
2 State for any political subdivision, whether issued before or  
3 after the effective date of this section, but only for as long  
4 as reimbursement by the political subdivision to the State for  
5 the payment of principal and interest on such bonds is required  
6 by law; provided that in the case of bonds issued after the  
7 effective date of this section, the consent of the governing  
8 body of the political subdivision has first been obtained; and  
9 provided further that during the period that such bonds are  
10 excluded by the State, the principal amount then outstanding  
11 shall be included within the funded debt of such political  
12 subdivision.

13           8. Bonds constituting instruments of indebtedness under  
14 which the State or any political subdivision incurs a contingent  
15 liability as a guarantor, but only to the extent the principal  
16 amount of such bonds does not exceed seven percent of the  
17 principal amount of outstanding general obligation bonds not  
18 otherwise excluded under this section; provided that the State  
19 or political subdivision shall establish and maintain a reserve  
20 in an amount in reasonable proportion to the outstanding loans  
21 guaranteed by the State or political subdivision as provided by  
22 law.



1           9. Bonds issued by or on behalf of the State or by any  
2 political subdivision to meet appropriations for any fiscal  
3 period in anticipation of the collection of revenues for such  
4 period or to meet casual deficits or failures of revenue, if  
5 required to be paid within one year, and bonds issued by or on  
6 behalf of the State to suppress insurrection, to repel invasion,  
7 to defend the State in war or to meet emergencies caused by  
8 disaster or act of God.

9           The total outstanding indebtedness of the State or funded  
10 debt of any political subdivision and the exclusions therefrom  
11 permitted by this section shall be made annually and certified  
12 by law or as provided by law. For the purposes of section 12  
13 and this section, amounts received from on-street parking may be  
14 considered and treated as revenues of a parking undertaking.

15           Nothing in section 12 or in this section shall prevent the  
16 refunding of any bond at any time."

17           SECTION 15. Article X, section 2, of the Constitution of  
18 the State of Hawaii is amended to read as follows:

19   **"BOARD OF EDUCATION**

20           **Section 2.** There shall be a board of education. The  
21 governor shall nominate and, by and with the advice and consent



1 of the [~~senate,~~] legislature, appoint the members of the board  
2 of education, as provided by law."

3 SECTION 16. Article X, section 6, of the Constitution of  
4 the State of Hawaii is amended to read as follows:

5 "BOARD OF REGENTS; POWERS

6 Section 6. There shall be a board of regents of the  
7 University of Hawaii, the members of which shall be nominated  
8 and, by and with the advice and consent of the [~~senate,~~]  
9 legislature, appointed by the governor from pools of qualified  
10 candidates presented to the governor by the candidate advisory  
11 council for the board of regents of the University of Hawaii, as  
12 provided by law. At least part of the membership of the board  
13 shall represent geographic subdivisions of the State. The board  
14 shall have the power to formulate policy, and to exercise  
15 control over the university through its executive officer, the  
16 president of the university, who shall be appointed by the  
17 board. The board shall also have exclusive jurisdiction over  
18 the internal structure, management, and operation of the  
19 university. This section shall not limit the power of the  
20 legislature to enact laws of statewide concern. The legislature  
21 shall have the exclusive jurisdiction to identify laws of  
22 statewide concern."



1 SECTION 17. Article XI, section 8, of the Constitution of  
2 the State of Hawaii is amended to read as follows:

3 "NUCLEAR ENERGY

4 Section 8. No nuclear fission power plant shall be  
5 constructed or radioactive material disposed of in the State  
6 without the prior approval by a two-thirds vote [~~in each house~~]  
7 of the legislature."

8 SECTION 18. Article XVI, section 4, of the Constitution of  
9 the State of Hawaii is amended to read as follows:

10 "OATH OF OFFICE

11 Section 4. All eligible public officers, before entering  
12 upon the duties of their respective offices, shall take and  
13 subscribe to the following oath or affirmation: "I do solemnly  
14 swear (or affirm) that I will support and defend the  
15 Constitution of the United States, and the Constitution of the  
16 State of Hawaii, and that I will faithfully discharge my duties  
17 as ..... to the best of my ability." As used  
18 in this section, "eligible public officers" means the governor,  
19 the lieutenant governor, the members of [~~both houses of~~] the  
20 legislature, the members of the board of education, the members  
21 of the national guard, State or county employees who possess

1 police powers, district court judges, and all those whose  
2 appointment requires the consent of the [~~senate.~~] legislature."

3 SECTION 19. Article XVII, section 3, of the Constitution  
4 of the State of Hawaii is amended to read as follows:

5 "AMENDMENTS PROPOSED BY LEGISLATURE

6 Section 3. The legislature may propose amendments to the  
7 constitution by adopting the same, in the manner required for  
8 legislation, by a two-thirds vote [~~of each house~~] on final  
9 reading at any session, after [~~either or both houses~~] the  
10 legislature shall have given the governor at least ten days'  
11 written notice of the final form of the proposed amendment, or,  
12 with or without such notice, by a majority vote [~~of each house~~]  
13 on final reading at each of two successive sessions.

14 Upon such adoption, the proposed amendments shall be  
15 entered upon the journals, with the ayes and noes, and published  
16 once in each of four successive weeks in at least one newspaper  
17 of general circulation in each [~~senatorial~~] legislative district  
18 wherein such a newspaper is published, within the two months'  
19 period immediately preceding the next general election.

20 At such general election the proposed amendments shall be  
21 submitted to the electorate for approval or rejection upon a  
22 separate ballot.





1       The conditions of and requirements for ratification of such  
2 proposed amendments shall be the same as provided in section 2  
3 of this article for ratification at a general election."

4       SECTION 20. Article IV, section 5, of the Constitution of  
5 the State of Hawaii is repealed.

6       [~~"MINIMUM REPRESENTATION FOR BASIC ISLAND UNITS~~

7       ~~Section 5. The representation of any basic island unit~~  
8 ~~initially allocated less than a minimum of two senators and~~  
9 ~~three representatives shall be augmented by allocating thereto~~  
10 ~~the number of senators or representatives necessary to attain~~  
11 ~~such minimums which number, notwithstanding the provisions of~~  
12 ~~Sections 2 and 3 of Article III shall be added to the membership~~  
13 ~~of the appropriate body until the next reapportionment. The~~  
14 ~~senators or representatives of any basic island unit so~~  
15 ~~augmented shall exercise a fractional vote wherein the numerator~~  
16 ~~is the number initially allocated and the denominator is the~~  
17 ~~minimum above specified. "]~~

18       SECTION 21. The question to be printed on the ballot shall  
19 be as follows:

20       "Shall

21       (1) The legislature be changed from a bicameral legislature  
22       with a house of representatives and a senate to a



1 unicameral legislature with only one chamber, to be  
2 known as the legislature, commencing after the general  
3 election in November 2012;

- 4 (2) The total number of legislators be changed from  
5 seventy-six to fifty-one legislators representing  
6 fifty-one single-member districts, who shall serve  
7 staggered terms of four years each; and
- 8 (3) The composition of the reapportionment commission be  
9 changed to provide that four members each shall be  
10 appointed by the speaker and minority leader of the  
11 legislature, with appointees choosing the ninth member;  
12 and change the composition of the judicial selection  
13 commission to require four members to be appointed by  
14 the speaker of the legislature, with the governor to  
15 appoint two members, the chief justice to appoint one  
16 member, and the members of the bar to elect two  
17 members?"

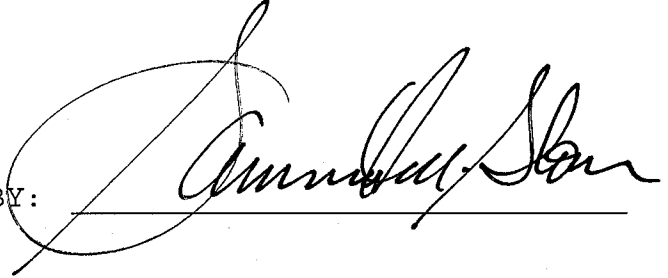
18 SECTION 22. Constitutional material to be repealed is  
19 bracketed and stricken. New constitutional material is  
20 underscored.



1 SECTION 23. 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:

A handwritten signature in cursive script, appearing to read "Amodeo S. Ison", is written over a horizontal line. The signature is positioned to the right of the text "INTRODUCED BY:".

**Report Title:**

Unicameral Legislature

**Description:**

Proposes constitutional amendments to create a unicameral legislature to be known as the legislature which shall consist of fifty-one members serving four year terms; and which shall commence after the general election in November 2012. Provides that the speaker of the legislature and the minority leader shall each appoint four members to the reapportionment commission. Provides that the speaker of the legislature shall appoint four members to the judicial selection commission.

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

