
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 3, OF THE
CONSTITUTION OF THE STATE OF HAWAII.

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

1 SECTION 1. Article XVII, section 3, of the Constitution of
2 the State of Hawaii is amended to read as follows:

3 **"AMENDMENTS PROPOSED BY LEGISLATURE**

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

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



1 At such general election the proposed amendments shall be
2 submitted to the electorate for approval or rejection upon a
3 separate ballot.

4 The conditions of and requirements for ratification of such
5 proposed amendments shall be the same as provided in section 2
6 of this article for ratification at a general election[-],
7 except that each amendment shall be effective only if:

8 (1) The amendment is approved at a general election by a
9 majority of all the votes tallied upon the question;
10 and

11 (2) The number of votes tallied upon the question in
12 comparison with the number of votes cast at the
13 general election is a percentage that is at least
14 equal to the percentage of votes tallied upon
15 constitutional amendments proposed by the legislature
16 in comparison to the votes cast at the general
17 election in which the amendments were voted on in the
18 immediately preceding ten years. As used herein
19 "votes tallied" does not include blank or spoiled
20 ballots, and "votes cast" includes all ballots,
21 including blank and spoiled ballots."



1 SECTION 2. The question to be printed on the ballot shall
2 be as follows:

3 "Shall a constitutional amendment proposed by the
4 legislature be deemed ratified only if the amendment is
5 approved by a majority of yes votes over no votes on the
6 question, and if the total number of yes and no votes
7 tallied upon the question in comparison with the total
8 number of votes cast at the general election, including
9 spoiled and blank ballots, is a percentage that is equal to
10 or greater than the average percentage using the same
11 comparisons in the immediately preceding ten years?"

12 SECTION 3. Constitutional material to be repealed is
13 bracketed and stricken. New constitutional material is
14 underscored.

15 SECTION 4. This amendment shall take effect upon
16 compliance with article XVII, section 3, of the Constitution of
17 the State of Hawaii.

18



Report Title:

Constitution of the State of Hawaii; Amendments Proposed by the Legislature

Description:

Proposes a constitutional amendment to determine whether an amendment to the Constitution of the State of Hawaii proposed by the legislature has been ratified by requiring that only yes and no votes be counted and that the total number of yes and no votes tallied upon the question in comparison with the total number of votes cast, including blank and spoiled ballots cast at the general election, constitutes a percentage that is at least equal to the percentage of the total number of yes and no votes on legislatively proposed amendments using the same comparison with the total number of votes cast, including blank and spoiled ballots cast at the general elections of the immediately preceding ten years. (SD1)

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