
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 2, OF THE HAWAII
STATE CONSTITUTION TO ADDRESS THE SELECTION OF MEMBERS OF
THE REAPPORTIONMENT COMMISSION.

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

1 SECTION 1. The purpose of this Act is to ensure the
2 participation of all political parties in the reapportionment
3 process by proposing an amendment to article IV, section 2, of
4 the Constitution of the State of Hawaii to provide that if there
5 are no members belonging to the minority party or parties in a
6 house of the legislature, the members belonging to the same
7 minority party or parties in the other house of the legislature
8 shall nominate persons to serve on the reapportionment
9 commission.

10 SECTION 2. Article IV, section 2, of the Constitution of
11 the State of Hawaii is amended to read as follows:

12 **"REAPPORTIONMENT COMMISSION**

13 **Section 2.** A reapportionment commission shall be
14 constituted on or before May 1 of each reapportionment year and
15 whenever reapportionment is required by court order. The
16 commission shall consist of nine members. The president of the



1 senate and the speaker of the house of representatives shall
2 each select two members. Members of each house belonging to the
3 party or parties different from that of the president or the
4 speaker shall designate one of their number for each house and
5 the two so designated shall each select two members of the
6 commission. If no member of the house of representatives
7 belongs to a party different from that of the speaker, then the
8 members of the senate belonging to a party different from that
9 of the speaker shall nominate six persons to the speaker. The
10 speaker shall then select two members of the commission from the
11 six nominees. If no member of the senate belongs to a party
12 different from that of the president, then the members of the
13 house of representatives belonging to a party different from
14 that of the president shall nominate six persons to the
15 president. The president shall then select two members of the
16 commission from the six nominees. The eight members so
17 selected, promptly after selection, shall be certified by the
18 selecting authorities to the chief election officer and within
19 thirty days thereafter, shall select, by a vote of six members,
20 and promptly certify to the chief election officer the ninth
21 member who shall serve as chairperson of the commission.



1 Each of the four officials designated above as selecting
2 authorities for the eight members of the commission, at the time
3 of the commission selections, shall also select one person from
4 each basic island unit to serve on an apportionment advisory
5 council for that island unit. The councils shall remain in
6 existence during the life of the commission and each shall serve
7 in an advisory capacity to the commission for matters affecting
8 its island unit.

9 A vacancy in the commission or a council shall be filled by
10 the initial selecting authority within fifteen days after the
11 vacancy occurs. Commission and council positions and vacancies
12 not filled within the times specified shall be filled promptly
13 thereafter by the supreme court.

14 The commission shall act by majority vote of its membership
15 and shall establish its own procedures, except as may be
16 provided by law.

17 Not more than one hundred fifty days from the date on which
18 its members are certified, the commission shall file with the
19 chief election officer a reapportionment plan for the state
20 legislature and a reapportionment plan for the United States
21 congressional districts which shall become law after publication



1 as provided by law. Members of the commission shall hold office
2 until each reapportionment plan becomes effective or until such
3 time as may be provided by law.

4 No member of the reapportionment commission or an
5 apportionment advisory council shall be eligible to become a
6 candidate for election to either house of the legislature or to
7 the United States House of Representatives in either of the
8 first two elections under any such reapportionment plan.

9 Commission and apportionment advisory council members shall
10 be compensated and reimbursed for their necessary expenses as
11 provided by law.

12 The chief election officer shall be secretary of the
13 commission without vote and, under the direction of the
14 commission, shall furnish all necessary technical services. The
15 legislature shall appropriate funds to enable the commission to
16 carry out its duties."

17 SECTION 3. The question to be printed on the ballot shall
18 be as follows:

19 "To meet the constitutional requirement of equal
20 representation of all political parties on the reapportionment
21 commission, if there are no members belonging to the minority



1 party or parties in a house of the legislature, shall the
2 members belonging to the same minority party or parties in the
3 other house of the legislature nominate persons to serve on the
4 commission?"

5 SECTION 4. New constitutional material is underscored.

6 SECTION 5. This amendment shall take effect on July 1,
7 2030, and upon compliance with article XVII, section 3, of the
8 Constitution of the State of Hawaii.



Report Title:

Reapportionment Commission; Selection of Members; Political Parties

Description:

Ensures participation of all political parties on the Reapportionment Commission by providing that if there are no members belonging to the minority party or parties in a house of the legislature, the members belonging to the same minority party or parties in the other house of the legislature shall nominate persons to serve on the Commission. (HB2694 HD1)

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