

JAN 22 2016

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



1 controversial decisions being made by conference committees,
2 where special interests can be more easily accommodated than in
3 the more open, deliberative standing committee hearings.

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

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

11 (1) Change the legislature from a bicameral legislature
12 with a house of representatives and a senate to a
13 unicameral legislature with only one chamber, to be
14 known as the legislature, commencing after the general
15 election in November 2016;

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

20 (3) Change the composition of the reapportionment
21 commission to require four members each to be



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

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

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

16 **"LEGISLATIVE POWER**

17 **Section 1.** [The] Commencing after the general election in
18 November 2016, the legislative power of the State shall be
19 vested in a legislature, which shall consist of [~~two houses, a~~
20 ~~senate and a house of representatives.~~] one chamber which shall
21 be known as the legislature. Such power shall extend to all



1 rightful subjects of legislation not inconsistent with this
2 constitution or the Constitution of the United States.

3 ~~[COMPOSITION OF SENATE~~

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

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

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

17 ELECTION OF MEMBERS; TERM

18 Section 4. Each member of the legislature shall be elected
19 at an election. If more than one candidate has been nominated
20 for election to a seat in the legislature, the member occupying
21 that seat shall be elected at a general election. If a



1 candidate nominated for a seat at a primary election is
2 unopposed for that seat at the general election, the candidate
3 shall be deemed elected at the primary election. The term of
4 office of a member of the [~~house of representatives~~] legislature
5 shall be [~~two years and the term of office of a member of the~~
6 ~~senate shall be~~] four years[-]; provided that of the legislators
7 elected to the term commencing after the general election in
8 November 2016, the members of the legislature shall serve
9 staggered terms of office as provided in Article IV, Section 7
10 of this Constitution. The term of a member of the legislature
11 shall begin on the day of the general election at which elected
12 or if elected at a primary election, on the day of the general
13 election immediately following the primary election at which
14 elected. [~~For a member of the house of representatives, the~~
15 ~~term shall end on the day of the general election immediately~~
16 ~~following the day the member's term commences. For a member of~~
17 ~~the senate, the~~] The term of a member of the legislature shall
18 end on the day of the second general election immediately
19 following the day the member's term commences.

20

VACANCIES

1 seeks to be elected; except that in the year of the first
2 general election following reapportionment, but prior to the
3 primary election, an incumbent [~~representative~~] legislator may
4 move to a new district without being disqualified from
5 completing the remainder of the incumbent [~~representative's~~]
6 legislator's term.

7 PRIVILEGES OF MEMBERS

8 **Section 7.** No member of the legislature shall be held to
9 answer before any other tribunal for any statement made or
10 action taken in the exercise of the member's legislative
11 functions; and members of the legislature shall, in all cases
12 except felony or breach of the peace, be privileged from arrest
13 during their attendance at the sessions of [~~their respective~~
14 ~~houses,~~] the legislature and in going to and returning from the
15 same.

16 DISQUALIFICATIONS OF MEMBERS

17 **Section 8.** No member of the legislature shall hold any
18 other public office under the State, nor shall the member,
19 during the term for which the member is elected or appointed, be
20 elected or appointed to any public office or employment which
21 shall have been created, or the emoluments whereof shall have



1 been increased, by legislative act during such term. The term
2 "public offices," for the purposes of this section, shall not
3 include notaries public, reserve police officers or officers of
4 emergency organizations for civilian defense or disaster relief.
5 The legislature may prescribe further disqualifications.

6 LEGISLATIVE ALLOWANCE

7 **Section 9.** The members of the legislature shall receive
8 allowances reasonably related to expenses as provided by law.

9 SESSIONS

10 **Section 10.** The legislature shall convene annually in
11 regular session at 10:00 o'clock a.m. on the third Wednesday in
12 January.

13 ~~[At the written request of two thirds of the members to~~
14 ~~which each house is entitled, the presiding officers of both~~
15 ~~houses shall convene the legislature in special session.]~~ At
16 the written request of two-thirds of the members of the [~~senate,~~
17 ~~the president of the senate]~~ legislature, the speaker shall
18 convene the [~~senate]~~ legislature in special session for the
19 purpose of carrying out its responsibility established by
20 Section 3 of Article VI[-] or for other legislative business.



1 The governor may convene [~~both houses or the senate alone~~] the
2 legislature in special session.

3 Regular sessions shall be limited to a period of sixty
4 days, and special sessions shall be limited to a period of
5 thirty days. Any session may be extended a total of not more
6 than fifteen days. Such extension shall be granted by the
7 [~~presiding officers of both houses~~] speaker of the legislature
8 at the written request of two-thirds of the members to which
9 [~~each house~~] the legislature is entitled or may be granted by
10 the governor.

11 Each regular session shall be recessed for not less than
12 five days at some period between the twentieth and fortieth days
13 of the regular session. The legislature shall determine the
14 dates of the mandatory recess by [~~concurrent~~] resolution. Any
15 session may be recessed by [~~concurrent~~] resolution adopted by a
16 majority of the members to which [~~each house~~] the legislature is
17 entitled. Saturdays, Sundays, holidays, the days in mandatory
18 recess and any days in recess pursuant to a [~~concurrent~~]
19 resolution shall be excluded in computing the number of days of
20 any session.



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

4 **ADJOURNMENT**

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

8 **ORGANIZATION; DISCIPLINE; RULES; PROCEDURE**

9 **Section 12.** [~~Each house~~] The legislature shall be the
10 judge of the elections, returns and qualifications of its [~~own~~]
11 members and shall have, for misconduct, disorderly behavior or
12 neglect of duty of any member, power to punish such member by
13 censure or, upon a two-thirds vote of all the members to which
14 [~~such house~~] the legislature is entitled, by suspension or
15 expulsion of such member. [~~Each house~~] The legislature shall
16 choose its own officers, determine the rules of its proceedings
17 and keep a journal. The ayes and noes of the members on any
18 question shall, at the desire of one-fifth of the members
19 present, be entered upon the journal.

20 Twenty days after a bill has been referred to a committee
21 [~~in either house,~~] of the legislature, the bill may be recalled



1 from such committee by the affirmative vote of one-third of the
2 members to which [~~such house~~] the legislature is entitled.

3 Every meeting or hearing of a committee in [~~either house or~~
4 ~~of a committee comprised of a member or members from both~~
5 ~~houses~~] the legislature held for the purpose of making decision
6 on matters referred to the committee shall be open to the
7 public.

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

12 QUORUM; COMPULSORY ATTENDANCE

13 **Section 13.** A majority of the number of members to which
14 [~~each house~~] the legislature is entitled shall constitute a
15 quorum [~~of such house~~] for the conduct of ordinary business, of
16 which quorum a majority vote shall suffice; but the final
17 passage of a bill [~~in each house~~] shall require the vote of a
18 majority of all the members to which [~~such house~~] the
19 legislature is entitled, taken by ayes and noes and entered upon
20 its journal. A smaller number than a quorum may adjourn from
21 day to day and may compel the attendance of absent members in



1 such manner and under such penalties as [~~each house~~] the
2 legislature may provide.

3 **BILLS; ENACTMENT**

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

8 **PASSAGE OF BILLS**

9 **Section 15.** No bill shall become law unless it shall pass
10 three readings in [~~each house~~] the legislature on separate days.
11 No bill shall pass third or final reading [~~in either house~~]
12 unless printed copies of the bill in the form to be passed shall
13 have been made available to the members of [~~that house~~] the
14 legislature for at least forty-eight hours.

15 [~~Every bill when passed by the house in which it~~
16 ~~originated, or in which amendments thereto shall have~~
17 ~~originated, shall immediately be certified by the presiding~~
18 ~~officer and clerk and sent to the other house for~~
19 ~~consideration.]~~

20 Any bill pending at the final adjournment of a regular
21 session in an odd-numbered year shall carry over with the same



1 status to the next regular session. [~~Before the carried-over~~
2 ~~bill is enacted, it shall pass at least one reading in the house~~
3 ~~in which the bill originated.~~]

4 APPROVAL OR VETO

5 **Section 16.** Every bill which shall have passed the
6 legislature shall be certified by the [~~presiding officers and~~
7 ~~clerks of both houses~~] speaker and the clerk of the legislature
8 and shall thereupon be presented to the governor. If the
9 governor approves it, the governor shall sign it and it shall
10 become law. If the governor does not approve such bill, the
11 governor may return it, with the governor's objections to the
12 legislature. Except for items appropriated to be expended by
13 the judicial and legislative branches, the governor may veto any
14 specific item or items in any bill which appropriates money for
15 specific purposes by striking out or reducing the same; but the
16 governor shall veto other bills, if at all, only as a whole.

17 The governor shall have ten days to consider bills
18 presented to the governor ten or more days before the
19 adjournment of the legislature sine die, and if any such bill is
20 neither signed nor returned by the governor within that time, it



1 shall become law in like manner as if the governor had signed
2 it.

3 **RECONSIDERATION AFTER ADJOURNMENT**

4 The governor shall have forty-five days, after the
5 adjournment of the legislature sine die, to consider bills
6 presented to the governor less than ten days before such
7 adjournment, or presented after adjournment, and any such bill
8 shall become law on the forty-fifth day unless the governor by
9 proclamation shall have given ten days' notice to the
10 legislature that the governor plans to return such bill with the
11 governor's objections on that day. The legislature may convene
12 at or before noon on the forty-fifth day in special session,
13 without call, for the sole purpose of acting upon any such bill
14 returned by the governor. In case the legislature shall fail to
15 so convene, such bill shall not become law. Any such bill may
16 be amended to meet the governor's objections and, if so amended
17 and passed, only one reading being required in [~~each house~~] the
18 legislature for such passage, it shall be presented again to the
19 governor, but shall become law only if the governor shall sign
20 it within ten days after presentation.



1 any committee thereof; or who shall, on account of the exercise
2 of any legislative function, threaten harm to the body or estate
3 of any of the members of [~~such house;~~] the legislature; or who
4 shall assault, arrest or detain any witness or other person
5 ordered to attend [~~such house;~~] the legislature, on the witness'
6 or other person's way going to or returning therefrom; or who
7 shall rescue any person arrested by order of [~~such house.~~] the
8 legislature.

9 Any person charged with such an offense shall be informed
10 in writing of the charge made against the person and have
11 opportunity to present evidence and be heard in the person's own
12 defense.

13 **IMPEACHMENT**

14 **Section 19.** The governor and lieutenant governor, and any
15 appointive officer for whose removal the consent of the [~~senate]~~
16 legislature is required, may be removed from office upon
17 conviction of impeachment for such causes as may be provided by
18 law.

19 The [~~house of representatives]~~ legislature shall have the
20 sole power of impeachment of the governor and lieutenant
21 governor and [~~the senate]~~ the sole power to try such



1 impeachment, and no such officer shall be convicted without the
2 concurrence of two-thirds of the members of the [~~senate.~~]
3 legislature. When sitting for that purpose, the members of the
4 [~~senate~~] legislature shall be on oath or affirmation and the
5 chief justice shall preside. Subject to [~~the provisions of~~]
6 this paragraph, the legislature may provide for the manner and
7 procedure of removal by impeachment of such officers.

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

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

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

17 **"REAPPORTIONMENT COMMISSION**

18 **Section 2.** A reapportionment commission shall be
19 constituted on or before May 1 of each reapportionment year and
20 whenever reapportionment is required by court order. The
21 commission shall consist of nine members. [~~The president of the~~



1 ~~senate and the speaker of the house of representatives]~~ The
2 speaker of the legislature and the minority leader shall each
3 select [~~two~~] four members. [~~Members of each house belonging to~~
4 ~~the party or parties different from that of the president or the~~
5 ~~speaker shall designate one of their number for each house and~~
6 ~~the two so designated shall each select two members of the~~
7 ~~commission.]~~ The eight members so selected, promptly after
8 selection, shall be certified by the selecting authorities to
9 the chief election officer and within thirty days thereafter,
10 shall select, by a vote of six members, and promptly certify to
11 the chief election officer the ninth member who shall serve as
12 chairperson of the commission.

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



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

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

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

17 No member of the reapportionment commission or an
18 apportionment advisory council shall be eligible to become a
19 candidate for election to [~~either house of~~] the legislature or
20 to the United States House of Representatives in either of the
21 first two elections under any such reapportionment plan.



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

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

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

11 **"APPORTIONMENT AMONG BASIC ISLAND UNITS**

12 **Section 4.** The commission shall allocate the total number
13 of members of [~~each house of~~] the state legislature being
14 reapportioned among the four basic island units, namely: (1)
15 the island of Hawaii, (2) the islands of Maui, Lanai, Molokai
16 and Kahoolawe, (3) the island of Oahu and all other islands not
17 specifically enumerated, and (4) the islands of Kauai and
18 Niihau, using the total number of permanent residents in each of
19 the basic island units and computed by the method known as the
20 method of equal proportions; except that no basic island unit
21 shall receive less than one member [~~in each house~~]."



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

3 "APPORTIONMENT WITHIN BASIC ISLAND UNITS

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

12 In effecting such redistricting, the commission shall be
13 guided by the following criteria:

14 1. No district shall extend beyond the boundaries of any
15 basic island unit.

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

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

20 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



1 the [~~senate~~] legislative seats in that district which were
2 assigned the four-year terms by the commission."

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

5 **"EXECUTIVE AND ADMINISTRATIVE OFFICES**
6 **AND DEPARTMENTS**

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

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



1 removed by the governor; except that the removal of the chief
2 legal officer of the State shall be subject to the advice and
3 consent of the [~~senate.~~] legislature.

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

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



1 When the [~~senate~~] legislature is not in session and a
2 vacancy occurs in any office, appointment to which requires the
3 confirmation of the [~~senate,~~] legislature, the governor may fill
4 the office by granting a commission which shall expire, unless
5 such appointment is confirmed, at the end of the next session of
6 the [~~senate.~~] legislature. The person so appointed shall not be
7 eligible for another interim appointment to such office if the
8 appointment failed to be confirmed by the [~~senate.~~] legislature.

9 No person who has been nominated for appointment to any
10 office and whose appointment has not received the consent of the
11 [~~senate~~] legislature shall be eligible to an interim appointment
12 thereafter to such office.

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

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

21 **"APPOINTMENT OF JUSTICES AND JUDGES**



1 **Section 3.** The governor, with the consent of the [~~senate,~~
2 legislature, shall fill a vacancy in the office of the chief
3 justice, supreme court, intermediate appellate court and circuit
4 courts, by appointing a person from a list of not less than
5 four, and not more than six, nominees for the vacancy, presented
6 to the governor by the judicial selection commission.

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



1 The chief justice, with the consent of the [~~senate~~]
2 legislature, shall fill a vacancy in the district courts by
3 appointing a person from a list of not less than six nominees
4 for the vacancy presented by the judicial selection commission.
5 If the chief justice fails to make the appointment within thirty
6 days of presentation, or within ten days of the [~~senate's~~]
7 legislature's rejection of any previous appointment, the
8 appointment shall be made by the judicial selection commission
9 from the list with the consent of the [~~senate.~~] legislature.
10 The [~~senate~~] legislature shall hold a public hearing and vote on
11 each appointment within thirty days of any appointment. If the
12 [~~senate~~] legislature fails to do so, the nomination shall be
13 returned to the commission and the commission shall make the
14 appointment from the list without [~~senate~~] the consent[~~.~~] of the
15 legislature. The chief justice shall appoint per diem district
16 court judges as provided by law.

17 **QUALIFICATIONS FOR APPOINTMENT**

18 Justices and judges shall be residents and citizens of the
19 State and of the United States, and licensed to practice law by
20 the supreme court. A justice of the supreme court, a judge of
21 the intermediate appellate court and a judge of the circuit



1 court shall have been so licensed for a period of not less than
2 ten years preceding nomination. A judge of the district court
3 shall have been so licensed for a period of not less than five
4 years preceding nomination.

5 No justice or judge shall, during the term of office,
6 engage in the practice of law, or run for or hold any other
7 office or position of profit under the United States, the State
8 or its political subdivisions.

9 **TENURE; RETIREMENT**

10 The term of office of justices and judges of the supreme
11 court, intermediate appellate court and circuit courts shall be
12 ten years. Judges of district courts shall hold office for the
13 periods as provided by law. At least six months prior to the
14 expiration of a justice's or judge's term of office, every
15 justice and judge shall petition the judicial selection
16 commission to be retained in office or shall inform the
17 commission of an intention to retire. If the judicial selection
18 commission determines that the justice or judge should be
19 retained in office, the commission shall renew the term of
20 office of the justice or judge for the period provided by this
21 section or by law.



1 Justices and judges shall be retired upon attaining the age
2 of seventy years. They shall be included in any retirement law
3 of the State."

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

6 **"JUDICIAL SELECTION COMMISSION**

7 **Section 4.** There shall be a judicial selection commission
8 that shall consist of nine members. The governor shall appoint
9 two members to the commission. No more than one of the two
10 members shall be a licensed attorney. The [~~president of the~~
11 ~~senate and the~~] speaker of the [~~house of representatives~~
12 legislature] shall [~~each respectively~~] appoint [~~two~~] four members
13 to the commission. The chief justice of the supreme court shall
14 appoint one member to the commission. Members in good standing
15 of the bar of the State shall elect two of their number to the
16 commission in an election conducted by the supreme court or its
17 delegate. No more than four members of the commission shall be
18 licensed attorneys. At all times, at least one member of the
19 commission shall be a resident of a county other than the City
20 and County of Honolulu.



1 The commission shall be selected and shall operate in a
2 wholly nonpartisan manner. After the initial formation of the
3 commission, elections and appointments to the commission shall
4 be for staggered terms of six years each. Notwithstanding the
5 foregoing, no member of the commission shall serve for more than
6 six years on the commission.

7 Each member of the judicial selection commission shall be a
8 resident of the State and a citizen of the United States. No
9 member shall run for or hold any other elected office under the
10 United States, the State or its political subdivisions. No
11 member shall take an active part in political management or in
12 political campaigns. No member shall be eligible for
13 appointment to the judicial office of the State so long as the
14 person is a member of the judicial commission and for a period
15 of three years thereafter.

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

18 The judicial selection commission shall select one of its
19 members to serve as chairperson. The commission shall adopt
20 rules which shall have the force and effect of law. The
21 deliberations of the commission shall be confidential.



1 The legislature shall provide for the staff and operating
2 expenses of the judicial selection commission in a separate
3 budget. No member of the judicial selection commission shall
4 receive any compensation for commission services, but shall be
5 allowed necessary expenses for travel, board and lodging
6 incurred in the performance of commission duties.

7 The judicial selection commission shall be attached to the
8 judiciary branch of the state government for purposes of
9 administration."

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

12 **"LEGISLATIVE APPROPRIATIONS; PROCEDURES;**

13 **EXPENDITURE CEILING**

14 **Section 9.** In each regular session in an odd-numbered
15 year, the legislature shall transmit to the governor an
16 appropriation bill or bills providing for the anticipated total
17 expenditures of the State for the ensuing fiscal biennium. In
18 such session, no appropriation bill, except bills recommended by
19 the governor for immediate passage, or to cover the expenses of
20 the legislature, shall be passed on final reading until the bill
21 authorizing operating expenditures for the ensuing fiscal



1 biennium, to be known as the general appropriations bill, shall
2 have been transmitted to the governor.

3 In each regular session in an even-numbered year, at such
4 time as may be provided by law, the governor may submit to the
5 legislature a bill to amend any appropriation for operating
6 expenditures of the current fiscal biennium, to be known as the
7 supplemental appropriations bill, and bills to amend any
8 appropriations for capital expenditures of the current fiscal
9 biennium, and at the same time the governor shall submit a bill
10 or bills to provide for any added revenues or borrowings that
11 such amendments may require. In each regular session in an
12 even-numbered year, bills may be introduced in the legislature
13 to amend any appropriation act or bond authorization act of the
14 current fiscal biennium or prior fiscal periods. In any such
15 session in which the legislature submits to the governor a
16 supplemental appropriations bill, no other appropriation bill,
17 except bills recommended by the governor for immediate passage,
18 or to cover the expenses of the legislature, shall be passed on
19 final reading until such supplemental appropriations bill shall
20 have been transmitted to the governor.

21 **GENERAL FUND EXPENDITURE CEILING**



S.B. NO. 2703

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

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

"AUDITOR

14
 15 **Section 10.** The legislature, by a majority vote of [~~each~~
 16 ~~house in joint session,~~] its members, shall appoint an auditor
 17 who shall serve for a period of eight years and thereafter until
 18 a successor shall have been appointed. The legislature, by a
 19 two-thirds vote of [~~the~~] its members [~~in joint session~~], may
 20 remove the auditor from office at any time for cause. It shall
 21 be the duty of the auditor to conduct post-audits of the



1 transactions, accounts, programs and performance of all
2 departments, offices and agencies of the State and its political
3 subdivisions, to certify to the accuracy of all financial
4 statements issued by the respective accounting officers and to
5 report the auditor's findings and recommendations to the
6 governor and to the legislature at such times as shall be
7 provided by law. The auditor shall also make such additional
8 reports and conduct such other investigations as may be directed
9 by the legislature."

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

12 **"DEFINITIONS; ISSUANCE OF INDEBTEDNESS**

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

14 1. The term "bonds" shall include bonds, notes and other
15 instruments of indebtedness.

16 2. The term "general obligation bonds" means all bonds for
17 the payment of the principal and interest of which the full
18 faith and credit of the State or a political subdivision are
19 pledged and, unless otherwise indicated, includes reimbursable
20 general obligation bonds.



1 3. The term "net revenues" or "net user tax receipts"

2 means the revenues or receipts derived from:

3 a. A public undertaking, improvement or system remaining
4 after the costs of operation, maintenance and repair
5 of the public undertaking, improvement or system, and
6 the required payments of the principal of and interest
7 on all revenue bonds issued therefor, have been made;
8 or

9 b. Any payments or return on security under a loan
10 program or a loan thereunder, after the costs of
11 operation and administration of the loan program, and
12 the required payments of the principal of and interest
13 on all revenue bonds issued therefor, have been made.

14 4. The term "person" means an individual, firm,
15 partnership, corporation, association, cooperative or other
16 legal entity, governmental body or agency, board, bureau or
17 other instrumentality thereof, or any combination of the
18 foregoing.

19 5. The term "rates, rentals and charges" means all
20 revenues and other moneys derived from the operation or lease of
21 a public undertaking, improvement or system, or derived from any



1 payments or return on security under a loan program or a loan
2 thereunder; provided that insurance premium payments,
3 assessments and surcharges, shall constitute rates, rentals and
4 charges of a state property insurance program.

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

16 7. The term "revenue bonds" means all bonds payable from
17 the revenues, or user taxes, or any combination of both, of a
18 public undertaking, improvement, system or loan program and any
19 loan made thereunder and secured as may be provided by law,
20 including a loan program to provide loans to a state property



1 insurance program providing hurricane insurance coverage to the
2 general public.

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

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

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



1 shall prescribe the manner and procedure for such issuance. All
2 such bonds issued by or on behalf of a political subdivision
3 shall be authorized by the governing body of such political
4 subdivision.

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

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

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



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



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

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

19 **"DEBT LIMIT; EXCLUSIONS**

20 **Section 13.** General obligation bonds may be issued by the
21 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



1 grants from the federal government and receipts in reimbursement
2 of any reimbursable general obligation bonds which are excluded
3 as permitted by this section.

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

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



1 State or a political subdivision incurs a contingent liability
2 as a guarantor shall mature not later than thirty-five years
3 from the date of such issue. The interest and principal
4 payments of general obligation bonds shall be a first charge on
5 the general fund of the State or political subdivision, as the
6 case may be.

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

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

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



1 undertaking, improvement or system or the cost of maintaining a
2 loan program or a loan thereunder and the required payments of
3 the principal of and interest on all revenue bonds issued for
4 the public undertaking, improvement or system or loan program,
5 and if the issuer is obligated to deposit such revenues or tax
6 or a combination of both into a special fund and to apply the
7 same to such payments in the amount necessary therefor.

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

13 4. Bonds issued under special improvement statutes when
14 the only security for such bonds is the properties benefited or
15 improved or the assessments thereon.

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

20 6. Reimbursable general obligation bonds issued for a
21 public undertaking, improvement or system but only to the extent



1 that reimbursements to the general fund are in fact made from
2 the net revenue, or net user tax receipts, or combination of
3 both, as determined for the immediately preceding fiscal year.

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

16 8. Bonds constituting instruments of indebtedness under
17 which the State or any political subdivision incurs a contingent
18 liability as a guarantor, but only to the extent the principal
19 amount of such bonds does not exceed seven percent of the
20 principal amount of outstanding general obligation bonds not
21 otherwise excluded under this section; provided that the State



1 or political subdivision shall establish and maintain a reserve
2 in an amount in reasonable proportion to the outstanding loans
3 guaranteed by the State or political subdivision as provided by
4 law.

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

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

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



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

3 "BOARD OF EDUCATION

4 Section 2. There shall be a board of education. The
5 governor shall nominate and, by and with the advice and consent
6 of the [~~senate~~] legislature, appoint the members of the board
7 of education, as provided by law."

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

10 "BOARD OF REGENTS; POWERS

11 Section 6. There shall be a board of regents of the
12 University of Hawaii, the members of which shall be nominated
13 and, by and with the advice and consent of the [~~senate~~]
14 legislature, appointed by the governor from pools of qualified
15 candidates presented to the governor by the candidate advisory
16 council for the board of regents of the University of Hawaii, as
17 provided by law. At least part of the membership of the board
18 shall represent geographic subdivisions of the State. The board
19 shall have the power to formulate policy, and to exercise
20 control over the university through its executive officer, the
21 president of the university, who shall be appointed by the



1 board. The board shall also have exclusive jurisdiction over
2 the internal structure, management, and operation of the
3 university. This section shall not limit the power of the
4 legislature to enact laws of statewide concern. The legislature
5 shall have the exclusive jurisdiction to identify laws of
6 statewide concern."

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

9 **"NUCLEAR ENERGY**

10 **Section 8.** No nuclear fission power plant shall be
11 constructed or radioactive material disposed of in the State
12 without the prior approval by a two-thirds vote [~~in each house~~]
13 of the legislature."

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

16 **"OATH OF OFFICE**

17 **Section 4.** All eligible public officers, before entering
18 upon the duties of their respective offices, shall take and
19 subscribe to the following oath or affirmation: "I do solemnly
20 swear (or affirm) that I will support and defend the
21 Constitution of the United States, and the Constitution of the



1 State of Hawaii, and that I will faithfully discharge my duties
 2 as to the best of my ability." As used
 3 in this section, "eligible public officers" means the governor,
 4 the lieutenant governor, the members of [~~both houses of~~] the
 5 legislature, the members of the board of education, the members
 6 of the national guard, State or county employees who possess
 7 police powers, district court judges, and all those whose
 8 appointment requires the consent of the [~~senate.~~] legislature."

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

11 **"AMENDMENTS PROPOSED BY LEGISLATURE**

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

20 Upon such adoption, the proposed amendments shall be
 21 entered upon the journals, with the ayes and noes, and published



1 once in each of four successive weeks in at least one newspaper
2 of general circulation in each [~~senatorial~~] legislative district
3 wherein such a newspaper is published, within the two months'
4 period immediately preceding the next general election.

5 At such general election the proposed amendments shall be
6 submitted to the electorate for approval or rejection upon a
7 separate ballot.

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

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

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

14 ~~Section 5. The representation of any basic island unit~~
15 ~~initially allocated less than a minimum of two senators and~~
16 ~~three representatives shall be augmented by allocating thereto~~
17 ~~the number of senators or representatives necessary to attain~~
18 ~~such minimums which number, notwithstanding the provisions of~~
19 ~~Sections 2 and 3 of Article III shall be added to the membership~~
20 ~~of the appropriate body until the next reapportionment. The~~
21 ~~senators or representatives of any basic island unit so~~



1 ~~augmented shall exercise a fractional vote wherein the numerator~~
2 ~~is the number initially allocated and the denominator is the~~
3 ~~minimum above specified. "]~~

4 SECTION 21. The question to be printed on the ballot shall
5 be as follows:

6 "Shall:

7 (1) The legislature be changed from a bicameral legislature
8 with a house of representatives and a senate to a
9 unicameral legislature with only one chamber, to be
10 known as the legislature, commencing after the general
11 election in November 2016;

12 (2) The total number of legislators be changed from
13 seventy-six to fifty-one legislators representing
14 fifty-one single-member districts, who shall serve
15 staggered terms of four years each; and

16 (3) The composition of the reapportionment commission be
17 changed to provide that four members each shall be
18 appointed by the speaker and minority leader of the
19 legislature, with appointees choosing the ninth member;
20 and change the composition of the judicial selection
21 commission to require four members to be appointed by



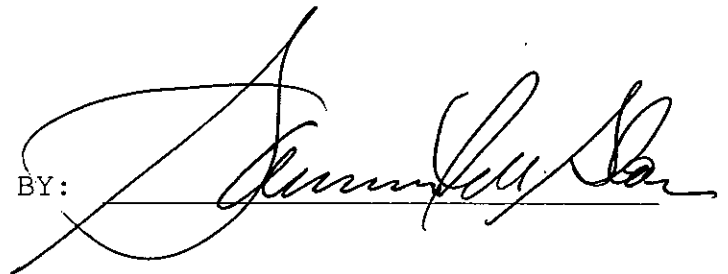
1 the speaker of the legislature, with the governor to
 2 appoint two members, the chief justice to appoint one
 3 member, and the members of the bar to elect two
 4 members?"

5 SECTION 22. Constitutional material to be repealed is
 6 bracketed and stricken. New constitutional material is
 7 underscored.

8 SECTION 23. This amendment shall take effect upon
 9 compliance with article XVII, section 3, of the Constitution of
 10 the State of Hawaii.

11
 12

INTRODUCED BY:



Anna Inoué K
Eraine P. Snowye



S.B. NO. 2703

Report Title:

Unicameral Legislature

Description:

Proposes constitutional amendments to create a unicameral legislature. Provides that the speaker of the legislature and the minority leader shall appoint members to the reapportionment commission, and that the speaker of the legislature shall appoint 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.

