
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE HAWAII STATE CONSTITUTION TO
CLARIFY LEGISLATIVE VOTING PROCEDURES.

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

1 SECTION 1. The purpose of this Act is to propose an
2 amendment to article III of the Constitution of the State of
3 Hawaii to clarify that a legislator who is present to vote on
4 any bill, resolution, confirmation of an appointment, or
5 adoption of a report of a committee shall:

6 (1) Vote either "aye" or "no" on the matter, unless the
7 member is recused from voting; and

8 (2) Be prohibited from voting "aye with reservations".

9 SECTION 2. Article 3, section 12, of the Constitution of
10 the State of Hawaii is amended to read as follows:

11 **"ORGANIZATION; DISCIPLINE; RULES; PROCEDURE**

12 **Section 12.** Each house shall be the judge of the
13 elections, returns and qualifications of its own members and
14 shall have, for misconduct, disorderly behavior or neglect of
15 duty of any member, power to punish such member by censure or,
16 upon a two-thirds vote of all the members to which such house is



1 entitled, by suspension or expulsion of such member. Each house
2 shall choose its own officers, determine the rules of its
3 proceedings and keep a journal. The ayes and noes of the
4 members on any question shall, at the desire of one-fifth of the
5 members present, be entered upon the journal.

6 A member who is present to vote on any bill, resolution,
7 confirmation of an appointment, or adoption of a report of a
8 committee, whether the vote occurs during a floor session or in
9 a committee, shall vote either "aye" or "no" on the matter,
10 unless the member is recused from voting. The practice of
11 voting "aye with reservations" shall be prohibited.

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

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



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1 By rule of its proceedings, applicable to both houses, each
2 house shall provide for the date by which all bills to be
3 considered in a regular session shall be introduced."

4 SECTION 3. The question to be printed on the ballot shall
5 be as follows:

6 "Shall a member of the state legislature who is
7 present to vote on any bill, resolution, confirmation of an
8 appointment, or adoption of a report of a committee, be:

9 (1) Required to vote either "aye" or "no", unless the
10 member is recused; and

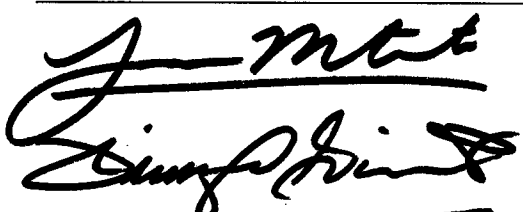
11 (2) Prohibited from voting "aye with reservations"?"

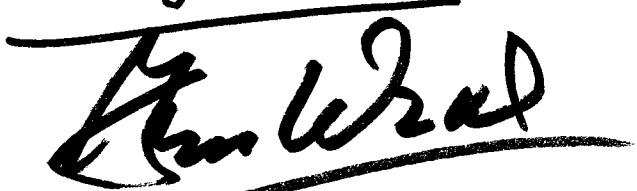
12 SECTION 4. New constitutional material is underscored.

13 SECTION 5. This amendment shall take effect upon
14 compliance with article XVII, section 3, of the Constitution of
15 the State of Hawaii.

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INTRODUCED BY: 







H.B. NO. 1744

Report Title:

Constitutional Amendment; Legislature; Voting; Aye with Reservations; Prohibition

Description:

Proposes an amendment to article III of the Constitution of the State of Hawaii to clarify that a legislator who is present to vote on any bill, resolution, confirmation of an appointment, or adoption of a report of a committee, whether in a floor session or in committee, shall vote either "aye" or "no" on the matter, unless the member is recused. Prohibits the practice of voting "aye with reservations".

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