

JAN 26 2011

A BILL FOR AN ACT

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

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 IV, section 2, of the Constitution of the
3 State of Hawaii to ensure that the members of the legislature
4 responsible for selection of the members of a reapportionment
5 commission shall reflect the proportional representation of
6 their respective legislative houses.

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

9 **"REAPPORTIONMENT COMMISSION**

10 **Section 2.** A reapportionment commission shall be
11 constituted on or before May 1 of each reapportionment year and
12 whenever reapportionment is required by court order. The
13 commission shall consist of nine members. The president of the
14 senate and the speaker of the house of representatives shall
15 each select two members. Members of each house belonging to the
16 party or parties different from that of the president or the
17 speaker shall designate one of [~~their number~~] its members for



1 each house and the two so designated shall each select two
2 members of the commission[-]; provided that:

3 (1) If the members of a house belonging to the party or
4 parties different from that of the president or the
5 speaker, as appropriate, represent less than
6 twenty-five per cent of the total membership of that
7 house, then the members belonging to the party or
8 parties with less than twenty-five per cent
9 representation shall select one member, and the
10 president of the senate or the speaker of the house of
11 representatives, whomever is appropriate, shall select
12 three members; or

13 (2) If all of the members of a house belong to the same
14 party as the president or speaker, as appropriate, the
15 president of the senate or the speaker of the house of
16 representatives, whomever is appropriate, shall select
17 four members; provided that the four members shall be
18 approved by majority consent of the members of that
19 house.

20 The eight members so selected, promptly after selection,
21 shall be certified by the selecting authorities to the chief
22 election officer and within thirty days thereafter, shall



1 select, by a vote of six members, and promptly certify to the
2 chief election officer the ninth member who shall serve as
3 chairperson of the commission.

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

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

17 The commission shall act by majority vote of its membership
18 and shall establish its own procedures, except as may be
19 provided by law.

20 Not more than one hundred fifty days from the date on which
21 its members are certified, the commission shall file with the
22 chief election officer a reapportionment plan for the state



1 legislature and a reapportionment plan for the United States
2 congressional districts which shall become law after publication
3 as provided by law. Members of the commission shall hold office
4 until each reapportionment plan becomes effective or until such
5 time as may be provided by law.

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

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

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

19 SECTION 3. The question to be printed on the ballot shall
20 be as follows:

21 "Shall the number of members of the reapportionment
22 commission selected by the president of the senate and the



1 speaker of the house of representatives be determined by the
2 proportion of members belonging to the political party or
3 parties in each house?"

4 SECTION 4. Constitutional material to be repealed is
5 bracketed and stricken. New constitutional material is
6 underscored.

7 SECTION 5. This amendment shall take effect upon
8 compliance with article XVII, section 3, of the Constitution of
9 the State of Hawaii.

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INTRODUCED BY: CPA HEE



Report Title:

Reapportionment Commission; Member Selection; Constitutional Amendment

Description:

Proposes a constitutional amendment to change the selection of members on the reapportionment commission.

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

