

JAN 23 2015

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO REQUIRE THE REAPPORTIONMENT COMMISSION TO INCLUDE MEMBERS FROM EACH OF THE FOUR BASIC ISLAND UNITS.

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

1 SECTION 1. The purpose of this Act is ensure
2 representation of all basic island units in the reapportionment
3 process by proposing an amendment to article IV, section 2, of
4 the Constitution of the State of Hawaii to require the
5 reapportionment commission be composed of members from each of
6 the four basic island units of (1) the island of Hawaii, (2) the
7 islands of Maui, Lanai, Molokai, and Kahoolawe, (3) the island
8 of Oahu and all other islands not specifically enumerated, and,
9 (4) the islands of Kauai and Niihau.

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



1 commission shall consist of nine members. Commission members
2 shall be selected as follows:

3 1. The president of the senate [and the] shall select two
4 members;

5 2. The speaker of the house of representatives shall
6 [each] select two members [~~Members of each house~~];

7 3. The senators belonging to the party or parties
8 different from that of the president [~~or the speaker~~] of the
9 senate shall designate one [~~of their number for each house and~~
10 ~~the two so designated~~] senator who shall [each] select two
11 members [~~of the commission~~];

12 4. The representatives belonging to the party or parties
13 different from that of the speaker of the house of
14 representatives shall designate one representative who shall
15 select two members;

16 provided that the reapportionment commission shall include at
17 least one member from each of the four basic island units. The
18 eight members so selected, promptly after selection, shall be
19 certified by the selecting authorities to the chief election
20 officer and within thirty days thereafter, shall select, by a
21 vote of six members, and promptly certify to the chief election



1 officer the ninth member who shall serve as chairperson of the
2 commission.

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

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

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

19 Not more than one hundred fifty days from the date on which
20 its members are certified, the commission shall file with the
21 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:



S.B. NO. 526

1 "Shall the constitutional provision establishing the
 2 reapportionment commission be amended to require the
 3 commission to include at least one member from each of the
 4 four basic island units?"

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

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

11

INTRODUCED BY: *Francis R. Iwase*

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S.B. NO. 526

Report Title:

Constitutional Amendment; Reapportionment Commission; Four Basic Island Units

Description:

Proposes an amendment to article IV, section 2, of the Hawaii Constitution to require the reapportionment commission be composed of members from each of the four basic island units.

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