

Constitutional Convention

1950

Following the precedent set by fifteen other states in drafting a state constitution prior to the passage of a statehood enabling act by Congress, the Hawaii State Constitutional Convention convened on April 4, 1950. However, such a convention had been suggested as early as 1936 in order to impress upon Congress the earnestness of Hawaii's statehood aspirations. The statehood drive was held in abeyance during World War II, but with the return to normalcy, prospects for immediate statehood were brightened when the House passed H. R. 49 in 1947. Anticipating the early passage of H. R. 49 by the 80th Congress, the Hawaii Statehood Commission appointed a sub-committee to prepare a tentative state constitution and gather pertinent information for the delegates to the constitutional convention. H. R. 49, however, was killed in the Senate, and sentiment increasingly favored taking the initiative and presenting Congress with a completed constitution. Such a move would serve the double purpose of indicating the seriousness of Hawaii's desire for statehood and answering charges of Communism, and was endorsed by both political parties in the 1948 election.

Act 334, S.L.H. 1949, mandated the calling of a convention of 63 elected delegates to form a constitution and state government and to prepare for the admission of Hawaii as a state. Upon completion of its deliberations, the convention was directed to notify the Governor who would submit the constitution to the Legislature. The Legislature was charged with providing for the submission of the constitution, along with any changes it proposed, to the electorate for ratification. If the legislature failed to provide for the ratification of the constitution, the Governor was authorized to call a special election for such purpose.

The Hawaii State Constitutional Convention was called to order by Secretary of the Territory, Oren E. Long, in the Throne Room of the Iolani Palace. Samuel Wilder King was elected president and presiding officer of the Convention, and Hebdon Porteus, secretary. Also elected were four vice-presidents: Thomas T. Sakakihara from the First Senatorial District; Arthur D. Woolaway, Second Senatorial District; Hiram L. Fong, Third Senatorial District; and Charles A. Rice, Fourth Senatorial District.

Twenty standing committees were established, seventeen to consider proposals (Bill of Rights; Legislative Powers and Functions; Executive Powers and Functions; Judiciary; Taxation and Finance; Local Government; Education; Health and Public Welfare; Industry and Labor; Agriculture, Conservation and Land; Hawaiian Homes Commission Act; Suffrage and Elections; Revisions, Amendments, Initiative, Referendum and Recall; Ordinances and Continuity of Law; Miscellaneous Matters; Style; Submission and Information) and three concerned with procedural matters (Rules and Order of Business, Accounts, and Printing). Proposals for inclusion in the constitution were referred to the proper standing committee for consideration and study. The committees held discussions and hearings, and in their reports to the president, made committee proposals which became the basis for discussion by the delegates

in the Committee of the Whole. After the report of the Committee of the Whole was approved it was referred to the Committee on Style, which was responsible for detecting inaccuracies, repetitions, and inconsistencies and for arranging each proposal in proper order in the constitution.

The constitution was signed by 62 of 63 delegates in a public ceremony at Iolani Palace on July 22, 1950, the 79th day of the Convention; referred to the Legislature at a special session in September, 1950; and accepted in entirety by Joint Resolution 1. On November 7, 1950 it was ratified by a 3 to 1 margin by the electorate at the general election.

An informal meeting of the delegates to the Constitutional Convention was called by Governor Samuel W. King on November 12, 1955 to discuss the matter of reapportionment. A resolution was passed requesting Congress to amend the Hawaiian Organic Act "so as to reconstitute the Legislature of the Territory of Hawaii along the lines set forth in the proposed Constitution for the State of Hawaii."

Public Law 86-3, which admitted Hawaii into the Union, made three changes in the proposed Constitution: 1) deleted Palmyra from the proposed state boundaries, 2) stipulated that provisions of the Hawaiian Homes Commission could be changed only with the consent of Congress, and 3) reduced to one representative, Hawaii's delegation in the House of Representatives. It also required that the electorate approve the changes made in the proposed state constitution. A three-question plebescite was conducted in the primary election on June 27, 1959, and all three questions were approved. With the signing of the statehood proclamation by President Eisenhower on August 21, 1959, the state constitution went into effect.

The records of the Constitutional Convention consist of a collection of records from various sources. They include files of the convention that were kept by the chief clerk, committee files that were accessioned later, tape recordings of the convention proceedings (plenary sessions and Committee of the Whole), transcriptions of the plenary sessions from tape recordings, minutes of the 1955 reapportionment meeting, files of the president that had been included in the records of the Hawaii Statehood Commission, and a collection of miscellany.

SEE ALSO:

Other Files: Delegate to Congress
 Farrington, Joseph R., Statehood File
 Governor of Hawaii
 Stainback, Ingram M., Constitutional
 Convention
 Hawaii Statehood Commission

Government Publications: Constitutional Convention
 Hawaii Statehood Commission
 Legislative Reference Bureau

Index: Subject
 State Constitutional Convention, Hawaii
 Statehood
 Name
 Samuel W. King

CONSTITUTIONAL CONVENTION, 1950

CONTAINER LIST

RECORDS OF THE OFFICE OF CHIEF CLERK

CC1950-Vol 1 - Journal - April 4-June 13, 1950
CC1950-Vol 2 - Journal - June 14 - July 22, 1950

CC1950 - BOX 1

Proposed Constitution - July 22, 1950 (Location: map case Q1-5)
Journal - 1st-79th Day, April 4-July 22, 1950
Governor's Messages, #1-7
Departmental Communications, #1-11
Miscellaneous Communications, #1-129
Miscellaneous Communications, (not numbered)

CC1950 - BOX 2
Proposals #1-90

CC1950 - BOX 3
Proposals #91-180

CC1950 - BOX 4
Proposals #181-195
Standing Committee Reports #1-20

CC1950 - BOX 5
Standing Committee Reports #21-80

CC1950 - BOX 6
Standing Committee Reports #81-139

CC1950 - BOX 7
Special Committee Reports #1-3
Committee of the Whole Reports #1-28
Resolutions #1-25

CC1950 - BOX 8
Resolutions #26-54
Petitions #1-21

CC1950 - BOX 9
Petition #21

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CC1950 - BOX 10

Petitions #21-26
Abstracts of numbered Communications
Digest and status of Resolutions
Abstracts of Committee Reports
Digest and status of proposals
Digest and status of Committee Proposals
Digest and status of Petitions
Official Register (and guest book)
Roll Call
Orders of the Day
Journal insert

CC1950 - BOX 11

Receipt books
Records re Frank Silva
State boundaries
List of Committees
Rules of the Convention
Seating Chart
Manuel on State Constitutional Provisions

Committee Records

Committee on Bill of Rights

Exhibits #1-34 (includes minutes of meetings)
Miscellaneous (Committee Clerk)

Committee on Legislative Powers and Functions

Minutes, Proposals and Communications referred to
Committee of the Whole

CC1950 - BOX 12

Committee on Executive Powers and Functions

Minutes of Committee Meetings
Committee of the Whole
Proposals, References (Committee Clerk)

Committee on Judiciary

Minutes of Committee Meetings
Committee of the Whole
Proposals

Committee on Taxation and Finance

Committee of the Whole
Minutes of Committee Meetings (Committee Clerk)
Proposals (Committee Clerk)

CONSTITUTIONAL CONVENTION, 1950

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Minutes, Materials (Henry A. White, sample file)
Proposals (Henry A. White, sample file)
Comparative Statement of Revenues and Expenditures, 1935-1950
 City and County of Honolulu
 County of Maui
Organic Act
Miscellaneous
Committee on Local Government
 Proposals, Petitions, Resolutions
 Minutes, Agenda, etc (Committee Clerk)
Committee of the Whole
Communications
Material re Lani
Committee on Education
 Committee of the Whole
Committee on Industry and Labor
 Minutes of Meetings
 Subcommittee Reports
 Committee of the Whole
Committee on Agriculture, Conservation and Land
 Proposals; Material (Committee Clerk)
 Correspondence; Material Submitted to Committee (Chairman)
 Minutes of Committee Meetings

CC1950 - BOX 14

Proposals; Material (Chairman)
Committee on Hawaiian Homes Commission
 Minutes; Proposals (Committee Clerk)
 Minutes of Public Hearings
 Statements submitted at Public Hearing
 Minutes of Committee Meetings
 Committee of the Whole
Committee on Suffrage and Elections
 Organic Act
 Committee of the Whole
Committee on Revision, Amendment, Initiative, Referendum and Recall
 Minutes of Committee Meetings
 Public Hearing Statements
 Sample File of Committee Member
 Committee of the Whole
Committee on Ordinances and Continuity of Law
 Committee of the Whole
Committee on Miscellaneous Matters
 Minutes of Committee Meetings

CONSTITUTIONAL CONVENTION, 1950

CC1950 - BOX 14 (cont.)

Sub-committee Reports - Preamble
Proposals (Sample File)
Resolutions (Sample File)
Miscellaneous (Sample File)

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Committee of the Whole
Committee on Style
Minutes of Meetings
Committee of the Whole Reports Referred to
Standing Committee Reports of Committee
Third Readings (Sample File)
Minutes of Committee Meetings (Sample File)
Committee on Submission and Information
Minutes; Miscellaneous (Sample File)
Weekly Reports (Committee Clerk)
Miscellaneous Matters (Sample File)
Arthur Trask
Charles Kauhane (with notes)
Correspondence

CC1950 - BOX 16

Report to Committee on Submission and Information by
Legislative Bureau
H.R. 49 and Act 334 (Sample File)
Minutes of Committee Meetings (Committee Clerk)
Resolutions (Committee Clerk)
Miscellaneous (Committee Clerk)
Sub-committee for publicizing Proposed Constitution
Memo and Rough Format from Delegate Roberts (original
memorandum prepared)
Committee on Rules and Order of Business
Committee on Accounts

MINUTES OF 1955 REAPPORTIONMENT MEETING

PRESIDENT'S FILES

Minutes

List of State Flags - Received and Presented
Committee Assignments
Committee on Agriculture, Conservation and Land
Bill of Rights
Education
Health and Public Welfare
Local Government

CONSTITUTIONAL CONVENTION, 1950

CC1950 BOX 16(cont.)

Revision, Amendment, Initiative, Referendum and
Recall
Rules and Order of Business
Taxation and Finance
Hawaiian Homes Commission

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Submission and Information
Accounts

Special Committee re Frank Silva

Resolution #55

Memorandum from Delegate Roberts re Committee Reports

Correspondence

Official

Personal

Hearing Held Before Committee on Interior and Insular Affairs

Resolutions

Constitution of the State of Hawaii (July 22, 1950 - 1st complete draft) JY-11/2013

H.R. 49; Act 334

CC1950-BOX 18

Manual on State Constitutional Provisions

Material on Constitutions and Constitutional Problems

Apportionment and Reapportionment

Plebescite

Miscellaneous - Miss Gay, Secretary to President

Applications for Jobs

Vouchers

COLLECTION OF MISCELLANY

Newspaper Clippings (4 Folders) Folder 1 and 2

CC1950 - BOX 19

Newspaper Clippings (Folder 3 and 4)

Prepared by Legislative Reference Bureau

Digest of Proposals

Index of Committee Proposals and Resolutions

Index of Proposals and Resolutions

Status of Committees

Schedule of Committee Meetings

List of Employees

Constitution of the United States

Miscellaneous Material Collected by M. Jones, Archivist

Delegate Larsen (3 Folders)

Broadcast Speeches

Health and Public Welfare

Seal

CONSTITUTIONAL CONVENTION, 1950

Audio Tapes of Proceedings 1/4" X 7" Reel to Reel Tapes

CC1950 - BOX 20

April 13 - 24, 1950 (Reels #1-24)

CC1950 - BOX 21

April 25 - May 18, 1950 (Reels #24-48)

CC1950 - BOX 22

May 18 - May 27, 1950 (Reels #49-72)

CC1950 - BOX 23

May 29 - June 6, 1950 (Reels #73-94)

CC1950 - BOX 24

June 6, 1950 - June 9, 1950 (Reels #95-118)

CC1950 - BOX 25

June 9, 1950 - June 16, 1950 (Reels #119-142)

CC1950 - BOX 26

June 16, 1950 - June 19, 1950 (Reels #143-166)

CC1950 - BOX 27

June 19, 1950 - June 21, 1950 (Reels #167-190)

CC1950 - BOX 28

June 21, 1950 - June 23, 1950 (Reels #191-214)

CC1950 - BOX 29

June 23, 1950 - June 27, 1950 (Reels #215 - 238)

CC1950 - BOX 30

June 27, 1950 - June 29, 1950 (Reels #239 - 262)

CC1950 - BOX 31

June 30, 1950 - July 5, 1950 (Reels #263-286)

CC1950 - BOX 32

July 5, 1950 - July 7, 1950 (Reels #287-310)

CC1950 - BOX 33

July 7, 1950 - July 11, 1950 (Reels #311 - #334)

CC1950 - BOX 34

July 11, 1950 - July 15, 1950 (Reels #335 - 358)

CC1950 - BOX 35

July 15, 1950 - July 22, 1950 (Reels #359 - 366)

TRANSCRIPTIONS OF PLENARY SESSIONS -- UNLOCATED, 1995/9/28

FLAT FILE: Illustration of Seal Proposed by Delegate Larsen
Ratification Poster

ISSUED: SUMMER, 1970