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 Hebden 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.
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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 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

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CC1950-Vol 2 - Journal - June 14 - July 22, 1950

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Journal - 1st-79th Day, April 4-July 22, 1950
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Proposals (Henry A. White, sample file)
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TRANSCRIPTIONS OF PLENARY SESSIONS -- UNLOCATED, 1995/9/28
FLAT FILE: Illustration of Seal Proposed by Delegate Larsen
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