

## 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)

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CC1950 - BOX 13

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

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CC1950 - BOX 14 (cont.)

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

CC1950 BOX 15

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

CC1950 - BOX 17

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 - 1<sup>st</sup> 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

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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