

**OFFICIAL RULES OF PROCEDURE ADOPTED
BY THE HOUSE OF REPRESENTATIVES
STATE OF HAWAII
SEVENTH STATE LEGISLATURE**

PART I

RULE 1. ORGANIZING

(1) When the specified time arrives for the first session of the House to be convened, the member from the First Representative District shall act as temporary presiding officer. The House will immediately thereafter elect a temporary Chairman who shall appoint a temporary Clerk and a Committee of not less than three members to immediately examine credentials of members elect. If upon said Committee's report it shall appear that a majority of the credentials are in order, the roll shall be called. The temporary Chairman shall then appoint a Committee of not less than three to wait upon a Justice of the Supreme Court or a Judge of a Circuit Court and request him to administer to the holders of such credentials, the oath of office as required by the Constitution of the State of Hawaii. After such oath shall have been duly administered the House shall proceed to organize by adopting Rules of Procedure followed by the election by resolution of a Speaker and Vice Speaker, and the Officers of the House, who shall be a Clerk, an Assistant Clerk, a Sergeant-at-Arms, and Assistant Sergeants-at-Arms who shall take an oath for the faithful discharge of their duties. The Speaker and Vice Speaker shall retain their respective positions during the term for which they were elected to membership in the House, unless such tenure be terminated by action of the House; except that if they shall be re-elected to membership in the House for the succeeding term, they shall then retain their respective positions until the day preceding the opening day of the succeeding legislature. When the position of the Speaker is vacant, the Vice Speaker shall become Speaker for the remainder of the Speaker's term; or, if there be no Vice Speaker, then the Majority Leader and the Majority Floor Leader, in the order named, shall become Speaker for the remainder of such term.

(2) When the specified time arrives for the session of the House to be convened subsequent to the organization of the House, the House shall be called to order by the Speaker who was elected for the term during which the session occurs.

(3) The members of the House belonging to the Majority Party shall designate a Majority Leader, a Majority Floor Leader and may designate one or more Assistant Majority Leaders and Assistant Majority Floor Leaders. The Majority Leader and Majority Floor Leader shall retain their respective positions during the term for which they were elected to membership in the House, unless such tenure be terminated by action of the members of the Majority Party in the House; except that if they shall be re-elected to membership in the House for the succeeding term, they

shall then retain their respective positions until the day preceding the opening day of the succeeding legislature. The members of the House belonging to the Minority Party shall designate a Minority Leader, a Minority Floor Leader and may designate one or more Assistant Minority Floor Leaders. The Majority Leader, Majority Floor Leader, Minority Leader and the Minority Floor Leader shall, in addition to their regular powers and duties, assist the standing committees of the House as ex officio members without vote. The Assistant Majority Floor Leaders and the Assistant Minority Floor Leaders, if any shall be so designated, shall, in addition to their regular powers and duties, be assigned as voting members of specific standing committees of the House.

RULE 2. MEETINGS

(1) After the day of opening of the Legislature as prescribed by law, the House shall meet for the transaction of public business every day except Saturdays, Sundays, recognized holidays, any days in recess, and such other days as the House shall designate.

(2) The usual hour of meeting shall be as the House shall decide from time to time.

(3) Any session may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled.

RULE 3. ADJOURNMENTS

(1) Meetings of the House may be adjourned at any time by vote. Unless otherwise specified in the motion, every adjournment shall be to the usual hour or meeting on the next following business day.

(2) A motion to adjourn is always in order, (except that one motion to adjourn shall not follow another such motion without intervening business) and shall be decided without debate. A motion to adjourn to a specified time, or sine die, may be debated, but no one shall speak more than once on such motion.

RULE 4. QUORUM

(1) A majority of the number of members to which the House is entitled shall constitute a quorum of such House, of which quorum a majority vote shall suffice, unless otherwise provided herein; but the final passage of a bill shall require the vote of a majority of all the members to which the House is entitled.

(2) A majority of less than a quorum shall have power to compel the attendance of absent members and to adjourn from day to day.

(3) When there shall be no quorum present at the hour of opening, the Speaker may declare the House adjourned.

(4) For the purpose of ascertaining whether there is a quorum present, the Speaker shall count the number of members present.

RULE 5. SALARY OF MEMBERS, OFFICERS AND EMPLOYEES

Unless otherwise provided by law in accordance with Section 10 of Article III, the salary of each member of the House shall be Twelve Thousand Dollars a year and each member of the House of Representatives shall be paid his salary in installments of not less than once each month following his election to office for such time as he shall remain a member of the House.

The Speaker and Vice Speaker shall receive no salary in addition to that fixed by law for members of the House of Representatives. Employees of the House who are hired for the session shall receive such compensation as the House shall fix by resolution. When once fixed, the pay of such employees shall not be changed except by resolution of the House or by the Speaker. Permanent and interim employees of the House shall receive such compensation as shall be authorized by the Speaker and their employment shall be at the discretion of the Speaker.

RULE 6. DUTIES AND POWERS OF THE SPEAKER

It shall be the duty of the Speaker:

(1) To open the sittings of the House at the appointed hour by taking the chair and calling upon the chaplain to perform his duty;

(2) To maintain order and proper decorum in debate;

(3) To announce the business before the House in the order prescribed by the Rules;

(4) To receive and submit all matters brought properly before the House by the members, to call for votes upon the same, and announce the results;

(5) To consult and advise the Committees of the House and assist in their work as an ex officio member without vote;

(6) To receive all communications from other branches of the Government and present them to the House;

(7) To assign to each member a seat on the floor of the House of Representatives. It is provided, however, that until seats are so assigned, members of the House may occupy any vacant seat;

(8) To authenticate by his signature all acts

of the House;

(9) To make known Rules of Order when so requested, and to decide all questions of order subject to an appeal to the House;

(10) To issue his warrant to carry into effect its orders in the arrest of offenders, and he may issue subpoena and subpoena duces tecum requiring the attendance of witnesses or the production of books, documents or other evidence in any matter pending before the House or any committee;

(11) To do and perform such other duties as may be required by law, by these Rules, and as may properly appertain to such office;

(12) In case of disturbance or disorderly conduct, or on motion duly adopted, the Speaker may have the House cleared of all persons except the members and officers;

(13) He shall not vote except on matters where the decision is reached by ballot or roll call, or to decide a tie vote taken by a show of hands or by rising;

(14) He shall, on receipt of the message of the Governor, or any executive communication, direct the different Committees of the House to consider the subjects in such message;

(15) The Speaker shall have the right to name any member to perform the duties of the Chair where the Vice Speaker is not available to perform such duties, but such substitution shall not extend beyond an adjournment;

(16) The Speaker shall, within five session days, refer all bills to committees subject to an appeal to the House. In referring bills to one or more standing committees, the first referral shall be to the standing committee whose area of responsibility as described in Part II of these rules is most closely related to the subject matter contained in the bill being referred. In the case of multiple committee referrals, the Speaker shall name the standing committee referred to in the sentence immediately preceding as the committee having primary responsibility for the drafting of, and to make recommendations for action on, the bills so referred. However, where more than one standing committee could qualify as the committee having primary responsibility, preference shall be given to the committee having jurisdiction on a statewide, rather than a local basis.

(17) The Speaker shall appoint the chairman and members of the conference committees pursuant to Rule 15 (1) (d).

(18) The Speaker shall, together in coordination with the President of the Senate, establish, no later than seven days after the opening day of session, cut-off dates to facilitate the smooth flow of legislation, including the last date for

bill introduction, for third reading of House bills, for third reading of Senate bills, for conference drafts and agreements, for final reading of the General Appropriations Bill in odd-numbered years and the Supplemental Appropriations Bill in even-numbered years.

RULE 7. THE VICE SPEAKER

The Vice Speaker shall exercise all the duties and powers of the Speaker in his absence. The Vice Speaker shall consult and advise the standing committees of the House and assist in their work as an ex officio member without vote.

RULE 8. SPEAKER PRO TEMPORE

(1) In case the Speaker and Vice Speaker shall be absent at the hour to which the House adjourned, the majority leader shall designate a member of the majority party present in the House who shall proceed until a Speaker pro tempore is elected.

(2) The Speaker pro tempore shall be invested with, and perform all the powers and duties of the Speaker.

RULE 9. THE CLERK

(1) The Clerk shall have charge of all the records of the House, and shall be responsible for the same. On no account shall he permit original documents to be withdrawn from his keeping unless ordered by the Speaker.

(2) He shall make a concise and complete memorandum of all petitions, motions, resolutions, amendments and other matters brought before the House, such memorandum shall state the nature of the said matter, and give the name of the introducer. Such memorandum shall be dated each day, and shall also give the number of the day of sitting. Such memoranda together with other matters ordered to be placed therein shall constitute the Journal. The Journal of each day shall be read the following day and shall be corrected or approved by vote of the House. Provided, however, that the House, by majority vote, may dispense with such reading.

(3) He shall read all bills, resolutions and other matter, if so required, to the House.

(4) He shall forward at once all letters, messages, communications or other matter to the proper parties, either directly or through a committee, as the case may be.

(5) He shall immediately deliver to the chairman of the appropriate committee all petitions, resolutions, bills or other matter duly referred to such committee.

(6) He shall prepare for the respective committees to which have been referred subjects contained in the message of the Governor, a memorandum of the subjects so referred.

(7) Whenever, in the absence of the Speaker and Vice Speaker, it shall devolve upon the Speaker pro tempore to sign any bill or other instrument requiring the signature of the Speaker, the Clerk shall attach to such bill or instrument a certificate setting forth that such Speaker pro tempore was duly elected.

(8) He shall draw such drafts on the treasury for expenses of the session as shall be authorized by the House and approved by two of the following: The Speaker, Vice Speaker and the Chairman of the Committee on Legislative Management.

(9) He shall pay all such bills and accounts as shall be approved by any two of the three persons mentioned in (8) above.

(10) He shall note all questions of order with the decision thereon, and collect the same together and append them to the House Journal at the close of the session.

(11) He shall do and perform all other clerical duties and offices pertaining to the position of Clerk of the House as the House shall from time to time direct, and such as shall by law or these Rules, or rules hereafter adopted, be assigned to him.

RULE 10. ASSISTANT CLERK

The Assistant Clerk shall assist the Clerk in all duties charged to the Clerk. In addition, in the absence of the Clerk, the Assistant Clerk shall perform all duties of the Clerk.

RULE 11. CHAPLAIN

A chaplain shall attend each day's sitting of the House, and open the same with prayers.

RULE 12. THE SERGEANT-AT-ARMS

(1) It shall be the duty of the Sergeant-at-Arms to attend the House on every day of meeting; to maintain order amongst those present as spectators; to give notice to the presiding officer of the attendance of any person with communications or otherwise; to attend upon committees if so requested; to serve all orders or process directed by the Speaker or House; to make all required arrests of members or other persons and to restrain the same in custody; to have charge of and responsibility for the postal requirements of the House, and generally to execute all the requirements of the Speaker of the House. The Sergeant-at-Arms shall keep the means of ingress and egress to and from the floor of the House clear at all times. He shall not permit anyone on the floor of the House Chamber except members of the House, authorized employees of the House, and guests of the House. He shall be responsible for all property in the House Chamber. The symbol of his office shall be a badge worn by him while enforcing order.

(2) The Sergeant-at-Arms shall be responsible for and shall have the power to initiate all purchases to be made by the House by preparing a purchase order to be submitted to the Speaker for approval. Upon approval of the Speaker, such purchase order shall be submitted to the Committee on Legislative Management for purchasing.

RULE 13. ASSISTANT SERGEANTS-AT-ARMS

The Assistant Sergeants-at-Arms shall assist the Sergeant-at-Arms in enforcing his duties. In addition, the Assistant Sergeants-at-Arms shall perform the duties of the Sergeant-at-Arms in his absence.

RULE 14. RESPONSIBILITY OF OFFICERS AND EMPLOYEES

All of the officers and employees of the House with the exception of committee staffs shall be directly answerable to the Speaker, and shall obey and perform all of his orders and directions, subject to revision by the House.

RULE 15. COMMITTEES

(1) There shall be six types of committees:

(a) **Standing Committees:** There shall be permanent standing committees to consider and report on bills, petitions, resolutions, budgets and any other matters referred to such committee.

(b) **Special Committees:** Special Committees shall be appointed for special or temporary purposes to consider and report on such special or temporary matters referred to it.

(c) **Committee of the Whole House:** Whenever the House decides to consider any matter as a committee consisting of the entire House membership, the House may resolve itself into a Committee of the whole.

(d) **Conference Committees:** Conference Committees shall be appointed for the purpose of resolving differences between the House and Senate on any matters where the joint agreement of the House and Senate is required. The Chairman of the Conference Committee on the part of the House shall be the Chairman of the Standing Committee having primary responsibility of the subject matter to be resolved. The membership of a Conference Committee shall be based on proportional representation between the majority and minority parties. In appointing the minority party members, the Speaker shall consult with the minority leadership of the House. The Speaker shall appoint the members of a conference committee from so much of the membership, as the Speaker shall determine, of the standing committee or committees to which the matter has been referred; provided that the Speaker may appoint such members

from without such standing committee or committees if the Speaker and the chairman of such standing committee having primary responsibility of the subject matter shall so mutually agree.

(e) **Committee on the Journal:** A Committee on the Journal shall be appointed to prepare, compile and bind the House Journal and to enter into contracts for printing and any other acts necessary to accomplish the purpose of printing the Journal.

(f) **Interim Committee:** An Interim Committee is a committee established between regular sessions to accomplish specified objectives and work. The appointment of interim committees should be completed by the Speaker within thirty days following the close of the session. The chairman of any interim committee should be the chairman of the standing committee which has primary responsibility, as defined by the rules, over the programs or matters to be considered by the interim committee. The membership of an Interim Committee shall be based on proportional representation between the majority and minority parties. In appointing the minority party members to an Interim Committee, the Speaker shall consult with the minority leadership of the House. The Speaker shall appoint the members of an Interim Committee from so much of the membership, as the Speaker shall determine, of the standing committee or committees to which the matter has been referred; provided that the Speaker may appoint such members from without such standing committee or committees if the Speaker and the chairman of such standing committee having primary responsibility of the subject matter shall so mutually agree.

(2) All committees shall be subject to the orders of the House and shall faithfully carry out such orders.

(3) Twenty days after a bill has been referred to a Committee, the same may be recalled from such committee by the affirmative vote of one-third of the members to which the House is entitled.

RULE 16. STANDING COMMITTEE

(1) The standing committees of the House and the duties and functions of the Committees shall be as provided in Part II and as hereafter provided.

(2) The membership of each standing committee, including the designation of the chairman and vice-chairman shall be provided for by resolution, provided, however, that the composition of the committee shall be based on proportional representation between the majority and minority party members with the members of the majority party designating the chairman, vice-chairman and majority party members and the minority

party designating the the minority party members. The Speaker, Vice Speaker, majority and minority leaders, majority and minority floor leaders shall be ex officio members of each committee without vote.

(3) The Chairman of each standing committee shall call meetings, preside at all meetings, prepare and post the agenda for each meeting, and may appoint and discharge members of his staff. No person shall be appointed as a staff member of any committee unless such staff position is first authorized by a majority of the members to which the House is entitled. The Vice Chairman shall perform the duties of the Chairman in his absence.

(4) Meetings of standing committees shall be public, with adequate reasonable notice; provided that meetings in executive session may be allowed in such exceptional circumstances when committee discussion could unfairly damage the reputation of individuals. No standing committee shall sit during the time when the House is actually in session except with the permission of the Speaker.

(5) The Chairman of each standing committee shall keep a record of public hearings and shall file same with the State Archives, through the Speaker, as soon as practicable after each session.

(6) No member of the House should be placed on more than four standing committees.

(7) No bill shall be reported out of a standing committee unless it shall have received a public hearing.

RULE 17. SPECIAL COMMITTEES

(1) The Special Committee, its duties and functions shall be created by action of the House from time to time.

(2) Special Committees shall consist of not less than three members each, unless otherwise ordered by the House, to be appointed for special temporary purposes and to serve until discharged or until finally reporting on such special or temporary matters referred to them.

(3) The meeting of the Special Committee shall be conducted in the same manner as provided for standing committees.

RULE 18. COMMITTEE OF THE WHOLE

(1) The House may from time to time resolve itself into a Committee of the Whole. Whenever any matter shall be referred to such Committee by the adoption of a motion to that effect, the House may at any time thereafter hold meetings as a Committee of the Whole.

(2) The Clerk of the House shall act as Clerk of the Committee of the Whole, without extra compensation and shall make a careful record

of the proceedings of the Committee, which shall be filed as one of the records of the House.

(3) The Committee may, on motion, rise and ask leave to sit at any future time.

(4) The Rules of Procedure in the House shall be observed, excepting as follows:

(a) Any member may speak more than once on the same subject, provided that he shall not speak a second or further time until others desiring to speak have had an opportunity.

(b) The motion for the "previous question" shall not be allowed.

RULE 19. CONFERENCE COMMITTEE

(1) The Conference Committee, its duties and functions, is created by action of the House from time to time.

(2) Conference Committees shall consist of not less than three members each, unless otherwise ordered by the House, to be appointed for the express purpose of resolving the specific differences between the House and the Senate and to serve until discharged or until finally reporting on the matter referred to it.

(3) The meetings of the Conference Committee shall be conducted as agreed upon by the members of the Conference Committee.

(4) The chairman of the Finance Committee shall be designated the Chairman of the Conference Committee on the General Appropriations, Supplemental Appropriations, and the General Public Improvements Bill. He shall invite the participation of the primary committee chairman of the standing committee responsible for the program area for which the appropriation relates. After review, the Chairman of the Conference Committee shall be responsible for preparing the budgets for consideration by the House.

RULE 20. COMMITTEE ON THE JOURNAL

(1) There shall be a Committee on the Journal consisting of the Speaker, Vice Speaker, Majority Leader, and Majority Floor Leader, whose duty it shall be to prepare, compile and bind the House Journal, and who shall be authorized to make contracts with any printer, publisher or bookbinder for the printing and binding of said Journal. The Committee shall report from time to time to the House.

(2) The Committee may correct certain errors in all proper cases, and shall correct any mere clerical errors in the compilation of the Journal, such as errors in orthography or the use of one word for another as "affect" for "effect", "previous" for "previously" and the like. No corrections other than such as are authorized by this Rule shall be made at any time by the Clerk or his assistants, unless upon order of the

Committee.

RULE 21. COMMITTEE REPORTS

(1) The Standing Committees shall report from time to time upon all matters referred to them.

(2) Special Committees shall report within five days upon matters referred to them, unless further time is given by vote of the House.

(3) Reports from Standing and Special Committees shall be submitted with such copies as designated by the Speaker and the report shall be printed by the House and be furnished to each member.

(4) Whenever any matter shall be referred to a committee it shall be the duty of that committee to make diligent inquiry into all of the facts and circumstances connected with the matter. Witnesses may be summoned and examined; documents and records searched; and everything shall be done to bring all facts pertaining to said matter before the House.

(5) The report shall state findings of facts and conclusions based thereon, together with a distinct recommendation as to the disposal of that matter.

(6) A report recommending a bill for passage shall and must clearly state the legislative intent and purpose of such bill; and such report shall also contain a record of the votes cast by each committee member, for or against the recommendations as the case may be.

(7) A report upon a bill shall state clearly the amendments, if any, proposed. If a substitute bill, for one or more bills referred to the committee, shall be reported, such substitute bill shall agree with the subject of the bill or bills returned to the House.

(8) Whenever a committee shall be ordered to perform a particular service, the service shall be performed exactly according to the requirements.

(9) Whenever a committee fails to agree, the majority shall report and it shall be the report of the committee. The minority may report or simply note upon the report of the majority the words "I (or we) do not concur," signing their names.

(10) Reports from Conference Committees, and from the Committee on Legislative Management shall be in order at all times, and upon motion, messages from the Governor or from the Senate may be received at any time; provided, that without unanimous consent such messages or reports shall not be in order for discussion when received, but shall be placed on the calendar as "Unfinished Business."

RULE 22. VOTING

(1) There shall be five methods of ascertaining the decision of the House upon any matter:

First: By voice vote;

Second: By raising of hands;

Third: By rising;

Fourth: By call of the roll of members, and a record by the Clerk, of the vote of each;

Fifth: By unanimous consent.

(2) The first shall be the usual and ordinary method. Whenever the House shall be ready to vote on any question, the Speaker shall rise, and after stating the question, shall request all those in favor of the affirmative of the question to vote in a clear loud voice, "Aye". The Speaker shall then call upon all voting in the negative of the question to vote "No". The Speaker shall then announce the result to the House.

(3) If one-fifth of the members present shall doubt the result as announced, the Speaker shall again state the question and shall request all those in favor of the affirmative of the question to raise their hands. After the Clerk shall have counted the number voting in the affirmative, which he shall report to the Speaker, the Speaker shall then call upon all voting in the negative of the question to raise their hands. The Clerk shall count those, and state the number to the Speaker, who shall then announce the result to the House. If there be a tie vote, the Speaker shall cast the deciding vote. In all cases he shall declare the result of the vote.

(4) If one-fifth of the members present shall doubt the result as announced, the Speaker shall again state the question and call upon the members to vote by rising in their places, and they shall remain standing until counted, and the result shall be announced.

(5) Whenever one-fifth of the members present shall so request, the Clerk shall call the roll of members of the House. Each member when called, shall vote in a clear loud voice, "Aye" if voting in the affirmative, or "No" if voting in the negative. The Clerk shall record each vote upon the Journal of the House. The Speaker shall announce the result.

(6) No member shall refrain from voting unless excused by the House; and the House shall have no power to excuse anyone from voting unless the member asking to be excused shall wholly fail to understand the question, and will not understand the effect and result of his vote if given.

(7) It is provided, however, that no one shall be permitted to vote upon any question in the result of which he shall have any pecuniary interest, or which will affect his right or title to a seat in the House, or wherein his official conduct shall be involved. Where any member may be in doubt as to whether he has an interest which

would disqualify him from voting on any question, he shall stand and disclose such interest to the House, and thereupon the Speaker shall rule as to whether or not the member should disqualify himself from voting.

(8) Whenever the voting is by call of the roll of the members, no one, without unanimous consent, shall be permitted to explain his vote.

(9) After the announcement by the Speaker of the result, no one shall be allowed to vote or to change his vote.

(10) If any member refuses to vote after having been ordered to do so three times (which includes the "kanalua" response) his vote shall be recorded as upon the affirmative side of the particular question upon which he refused to vote.

RULE 23. PETITIONS AND MEMORIALS

(1) Any person may petition the House, Petitions and other memorials shall be in writing, signed by the petitioners.

(2) All petitions, memorials and other papers addressed to the House shall be presented by the Speaker, or by a member in his place and, if by a member, shall be endorsed with the name of the person presenting it, and the subject matter of the same.

(3) Every petition, memorial or other paper shall be referred, as of course, by the Speaker, without putting a question for that purpose, unless the reference is objected to by a member at that time such petition, memorial or other paper is presented, in which event it shall be disposed of as the House shall direct.

RULE 24. FORMS OF BILLS, RESOLUTIONS, MOTIONS, AND AMENDMENTS

(1) All bills and resolutions shall be typewritten with black ribbon in single space, or legibly duplicated in black ink upon paper which is 8-½ inches wide by 11 inches long, and leaving a left margin of 1-½ inches. Short form bills may be introduced. All bills and resolutions shall be dated and signed by the introducer in black ink.

(2) Every bill introduced or reported out of any committee, including but not limited to any standing, special or conference committee, which amends an existing section or subsection of the Hawaii Revised Statutes or Session Laws of Hawaii, shall set forth the section or subsection in full, and the matter to be deleted shall be enclosed in brackets and any new matter added to the section or subsection shall be underscored.

(3) The Speaker may allow exceptions to Rule 24 (2) at his discretion. No floor amendment to a bill shall be adopted unless a typewritten or printed copy of such amendment shall have been received by each member of the House

present for consideration of such amendment.

RULE 25. MOTIONS

(1) No motion shall be received and considered by the House until the same shall have been seconded.

(2) After a motion is stated or ready by the Speaker, it shall be deemed in the possession of the House, and shall be disposed of by vote of the House. However, it may be withdrawn by the movant at any time before a decision or amendment.

(3) Whenever any question whatsoever shall be under discussion, the only motions relative thereto shall be:

- First: To lay on the table;
- Second: To postpone to a certain time;
- Third: To postpone indefinitely;
- Fourth: To commit;
- Fifth: To amend;

which motions shall have precedence in the order named.

(4) The first two motions shall be decided without debate and shall be put as soon as made.

(5) Whenever any of the first four motions mentioned above shall be decided in the negative, it shall not be revived the same calendar day in regard to the main question under discussion. If a motion to amend in a specific manner is defeated, it shall not be revived on the same calendar day.

RULE 26. TIME LIMIT ON SPEAKING

(1) No member shall speak longer than ten minutes or more than twice on the same question without leave of the House. However, the movant of the matter pending shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

(2) Where a member yields the floor to another member, his time shall continue to run, unless such yielding shall be to allow a specific question to be asked.

RULE 27. INDEFINITE POSTPONEMENT

When a question is postponed indefinitely, the same shall not be acted upon again during the regular or special session in which it was introduced.

RULE 28. PREVIOUS QUESTION

The object of the motion for the previous question is to end debate. It shall always be in order, except as otherwise provided herein. It shall require a two-thirds vote of the members present in the House at the time the motion is made to carry it. Whenever the motion shall be carried

the movant of the main subject under discussion shall be permitted to close the debate, after which the main question, subject to the order of priority, shall be put; provided that said movant may delegate to another with right to close.

RULE 29. RECONSIDERATION

(1) When a motion has been made once and carried in the affirmative or negative, it shall not be in order for any member who voted in the minority to move for a reconsideration thereof; but any member who voted with the majority may move to reconsider it on the same or succeeding day of the session, and such motion shall take precedence of all other questions except a motion to adjourn.

(2) When a motion for reconsideration has been decided, that vote shall not be reconsidered.

(3) When a bill, resolution or other matter upon which a vote has been taken shall have gone out of the possession of the House of Representatives, and has been communicated to the Senate, a motion to reconsider shall be accompanied by a motion to request the Senate to return the same, which last motion shall be acted upon at once without debate and, if determined in the negative, it shall be a final disposition of the motion to reconsider.

RULE 30. FIRST READING

(1) The first reading of a bill shall be by its title; and if opposition be made to it, the question shall be: "Shall this bill be rejected?" which question may be debated. But no one shall speak more than once upon such debate, except the introducer of the bill, who may close the discussion.

(2) If the question to reject be decided in the negative, the bill shall go to its second reading without question.

RULE 31. SECOND READING

On second reading, a bill may be read throughout or may, on motion, be read by title only. It shall then be subject to a motion to commit. If it is not referred to a Standing Committee, or to a Special Committee, but is ordered to be considered in Committee of the Whole, a day for such consideration shall be determined by the Chairman of such committee. When the bill shall be reported from Committee, it shall take its place in the order of business for future consideration.

RULE 32. THIRD READING

(1) No bill shall pass third or final reading in the House unless printed copies of the bill in the form to be passed have been made available to the members of the House for at least 24 hours. Form to be passed means the form in which a bill is to be either (a) passed on third reading in the

House, (b) concurred to by the House after amendments have been made by the Senate, or (c) passed by the House after a conference committee has agreed upon it. The 24-hour period shall commence with the placement of a printed copy of the bill in the form to be passed upon the desk of each member, as reported from the last committee to which the bill has been referred, upon the convening of, or during, each day's session. In the event that a bill is amended on the floor of the House, the 24-hour period for a bill shall commence at the time printed copies of the bill in the form to be passed are placed upon the desk of each member of the House. In each instance, the time that a bill shall be made available as aforesaid shall be duly entered in the House Journal by the Clerk.

(2) A bill on its third or final reading may be read by its title only and the Speaker shall then ask the House, "Shall this bill pass its third reading?" or "Shall this bill pass its final reading?" as the case may be. Such bill may be amended or recommended on its third reading. Upon the final passage of any bill, the Ayes and Noes shall be called and such passage shall require the affirmative vote of a majority of all the members to which the House is entitled. The vote upon final reading shall be upon a motion that the bill pass third reading, rather than upon adoption of a committee report, so that amendments to the bill may be offered at third reading and voted upon.

(3) Any rule to the contrary notwithstanding, the House shall not concur with amendments made by the Senate until such amendments have been considered and favorably reported upon by the standing committee having primary responsibility for the subject matter contained in the bill.

RULE 33. BILLS PROPERTY OF THE HOUSE

All bills introduced in the House shall be deemed the property of the House, and under its control until they shall become law, subject to the right of the Senate to amend or refuse to agree to the same. Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session; provided that if such bill shall have passed third reading in the House in an odd-numbered session, it shall again be placed in the third reading file and pass at least one reading in the House in the next regular session upon its return to the House from the Senate.

RULE 34. PASSED BILLS CERTIFIED

(1) When a bill shall pass, it shall be certified by the Speaker and by the Clerk, noting the day of its passage at the foot thereof.

(2) When a bill originating in the House passes its third reading or when a bill received from the Senate is amended and passes its third reading in the House, or when a carry over bill from an

odd year session originating in the Senate passes its third reading in the House in an even year session, such bill or such amended bill, shall immediately be certified by the Speaker and by the Clerk and sent to the Senate.

RULE 35. GENERAL RULES

(1) Bills which pass first reading may be immediately sent to printing and after printing and circulation, referred to the various committees. After consideration and report by the committees, the bills shall be returned to the Clerk of the House and thereafter placed in the second reading file. When the time arrives for consideration, they shall be considered in the order in which they appear on file.

(2) Bills which pass second reading shall be arranged in the order of their passage, irrespective of the date of reference to committee, or of the committee report, and shall be in order for consideration on third reading as arranged. A list shall be made in such order to be called the third reading file, providing that whenever the third reading of any bill is set for any particular date, such bill shall be omitted from the general file.

(3) Bills which shall carry over from a regular session in an odd-numbered year to the next regular session shall retain the numbers assigned to them. The Clerk shall keep a record of the status of all bills in possession of the House at the end of the odd-numbered year session and shall publish the record of the status of all such bills prior to the convening of the next regular session. The Clerk shall accept bills to be pre-filed within ten days before the commencement of the regular session in the even-numbered year.

(4) Resolutions, except congratulatory resolutions, before being placed on the calendar for adoption shall be printed and circulated to the members of the House, unless otherwise ordered by the House.

(5) Resolutions or other matters on which consideration is not had and complete at the time of introduction into the House, if not ordered for consideration at a stated date, shall be placed upon the general file in the order of consideration with bills.

RULE 36. SPECIAL FILES

(1) All bills and other matters set for consideration upon particular dates shall be arranged in the order, by date, when such assignments were made.

(2) A list shall be made of such special orders and when the time for consideration arrives, such bills shall be considered in the order of assignment. If an adjournment shall be had before all such special orders are disposed of, the remainder shall go over and come up under

the head of "Unfinished Business" on the following day, unless otherwise ordered.

RULE 37. DEBATE, ORDER, DECORUM, PUNISHMENT

(1) No person shall sit at the desk of the Speaker or Clerk, except by permission of the Speaker.

(2) While the Speaker is putting any question or addressing the House, no one shall walk out of the room or across the floor, nor in any such case or, when a member is speaking shall entertain a private discourse, nor, while a member is speaking shall pass between him and the chair.

(3) If any member shall conduct himself in a disorderly manner during any session of the House, the Speaker shall order such member to keep his seat and preserve the peace; and, if he shall then persist in his disorderly conduct the Speaker shall order the Sergeant-at-Arms to remove him from the House and he shall not be permitted to take his seat during the remainder of the day's session, except upon a pledge given by him to the House of good behavior.

(4) When any member is about to speak, he shall rise from his seat and address himself to the Speaker, to wit: "Mr. Speaker," and when recognized, he shall face the Speaker, confine himself to the question under debate and avoid personalities.

(5) If any member in speaking or otherwise transgresses the Rule of the House, the Speaker, or any member, may call him to order, and the member so called to order shall immediately sit down. The Speaker shall then decide the question of order without debate, subject to an appeal to the House. The Speaker may call for the sense of the House on any question of order.

(6) Whenever any person shall be called to order while speaking, he shall be deemed to be in possession of the floor when the question of order is decided, and may proceed with the matter under discussion.

(7) If any member be called to order for words spoken in debate, upon his demand or on that of any other member, the words objected to shall be taken down in writing and noted by the Clerk and, if required, shall be read for the information of the House.

(8) No member or officer shall smoke within the hall of the House during any of the sessions of the House, except by permission of the Speaker.

(9) The House may punish its members for disorderly behavior or neglect of duty by censure. The House may also, by a two-thirds vote of the total membership of the House, suspend or expel a member.

(10) The House may punish by fine, or by imprisonment not exceeding thirty days, any person

not a member thereof who shall be guilty of disrespect of the House by any disorderly or contemptuous behavior in its presence or that of any committee thereof; or who shall, on account of the exercise of any legislator's function, threaten harm to the body or estate of any member of the House; or who shall assault, arrest or detain any witness. But the person charged with the offense shall be informed, in writing, of the charge made against him and have an opportunity to present evidence and be heard in his own defense.

RULE 37-A. DISCLOSURES AND PUNISHMENT OF MEMBERS

(1) At the times and in the manner prescribed by law for the filing of disclosures of financial interest and any deletion, addition, transfer or termination thereof with the Ethics Commission of the State of Hawaii, each member shall file a copy of such disclosure of financial interest and any deletion, addition, transfer or termination thereof with the Speaker.

(2) If a matter of legislative action shall arise before a member has had the opportunity to comply with the filing requirements of this Rule and if the matter of legislative action be such as to affect the member's undisclosed interest, the member shall, before voting on such legislative matter, make oral disclosure of his interest to be followed by a written disclosure according to law.

(3) Any member who has filed a disclosure as required by this Rule need not make a further oral disclosure on the House floor of any interest so filed.

(4) All disclosures filed with the Speaker shall be reasonably available for examination by the public under standard procedures prescribed by the Speaker.

(5) The Speaker may under the provisions of Rule 15 (1) (b) appoint a special committee to investigate a member for misconduct, disorderly conduct, neglect of any duty or violation of Chapter 84 H. R. S. or Rules of the House, and the House may punish a member for misconduct, disorderly conduct, neglect of any duty or violation of Chapter 84 H. R. S. or its Rules by censure or, by a two-thirds vote, suspend or expel a member.

RULE 38. ORDER OF BUSINESS

After prayer, the daily order of business shall be as follows:

(1) Roll Call;

(2) Reading and approval of the Journal unless the House by motion dispenses with such reading;

(3) Messages from the Governor;

(4) Reports and Communications from the heads of departments (or matters whereon information has been requested or for information); and miscellaneous communications;

(5) Bills, resolutions and other matters from the Senate shall be reported to the House of Representatives to be placed on the calendar;

(6) The Order of the Day, including Third and Second Readings of House Bills;

(7) Reports of Standing Committees;

(8) Reports of Select Committees;

(9) Petitions, Memorials and Communications;

(10) Resolutions and Introduction of Bills;

(11) Unfinished Business, upon which the House was engaged at the time of its last adjournment;

(12) Any miscellaneous business on the Speaker's table;

(13) Announcements

RULE 39. SPECIAL ORDERS

The House may, by previous motion, direct that any matter named shall be made a special order of business and that such special order shall take precedence of all business after the fourth order or that it shall take any other position lower down on the calendar.

RULE 40. PREFERENCE OF BUSINESS

The unfinished business in which the House was engaged at the time of the last adjournment shall have the preference in the Orders of the Day; and no motion or any other business shall be received without special leave of the House until the former is disposed of.

RULE 41. QUESTION OF PRIORITY

All questions relating to the priority of business to be acted upon shall be decided without debate.

RULE 42. QUESTIONS OF ORDER

A question of order may be raised at any stage of the proceedings, except during the calling of the roll when the Ayes and Noes are called for. Unless submitted to the House such question shall be decided without debate by the presiding officer, subject to an appeal to the House. Laying such appeal on the table shall be held as sustaining the ruling of the presiding officer.

RULE 43. ATTENDANCE

No member shall absent himself from the service of the House unless he has leave of the House, or be sick and unable to attend.

RULE 44. REPORTERS

Stenographers and members of the press wishing to take down the debates or report the proceedings of the House may be admitted to the House by the Speaker. The Speaker shall assign such persons a place and facilities which will not interfere with the operation of the House.

RULE 45. NEW RULES

No Rule of the House shall be altered or rescinded, nor shall any new rule be adopted without a day's notice being given of the motion therefor. All alterations, recisions, and new rules shall be adopted by a two-thirds (2/3) vote of the total membership of the House.

RULE 46. SUSPENSION OF RULES

No Rule of the House shall be suspended unless by the affirmative vote of a two-thirds (2/3) vote of the total membership of the House.

RULE 47. WHEN RULES SILENT

The rules of parliamentary practice of Cushing's Manual of Parliamentary Practice as set forth in the New Revised Edition (1961) by Paul E. Lowe, and as practiced by the House of Representatives of the United States, where not inconsistent with these rules, shall govern the House.

RULE 48. INVENTORY

An inventory of all property belong to the House shall be made by the Clerk with the assistance of the Inventory Clerk and the Sergeant-at-arms and a certified list filed with the Journal Committee. Receipt from the Superintendent of Public Works shall be taken of all property submitted to his care to be turned over to a future House.

RULE 49. WITNESS FEES

Any witness subpoenaed to appear before the House or any of its Committees shall be paid the same witness fees and mileage as allowed by the Circuit Courts of the State.

RULE 50. PAPERS

The several committees of the House shall, within the day of the final adjournment of the House, deliver to the Clerk of the House all bills, resolutions, petitions, and other papers referred to the committee, together with all evidence taken by such committee, and in the event of the failure or neglect of a committee to comply with this Rule, the Clerk of the House shall report such a delinquency to the Speaker.

RULE 50-A. ISSUANCE OF SUBPOENA AND ADMINISTERING OF OATH

(1) The Speaker or other presiding officer of

the House; the chairman or acting chairman of any joint committee established by a concurrent resolution of the Senate and the House, or a committee of the Whole, or of any committee of the House, to take testimony of other evidence, may issue subpoenas requiring the attendance of witnesses or the production of books, documents or other evidence in any matter pending before the House or committee.

(2) The Speaker or chairman, or acting chairman of any joint committee established by a concurrent resolution of the Senate and the House, or of the committee of the whole, or of any committee of the House, may administer oaths to witnesses in any case under their examination. Any member of the House may administer oaths to witnesses in any matter pending in the House or any committee of the House.

RULE 51. STANDING COMMITTEES

Standing Committees shall be created by resolution for each major subject matter area at the opening of the session, or as soon thereafter as possible, to serve during the Seventh Legislative Session. The major subject matter areas and the Standing Committees therein shall be as follows:

EDUCATION AND CULTURE

This major subject matter area covers those programs which are intended to promote intellectual development and cultural enrichment of the community. The Standing Committees for this major subject matter area shall be:

(1) **Committee on Education**, whose scope shall be those programs relating to lower education, continuing education, public libraries, culture and the arts.

(2) **Committee on Higher Education**, whose scope shall be those programs relating to the University of Hawaii and the community colleges.

HUMAN RESOURCES

This major subject matter area covers those programs which are intended to insure adequate income, housing, and physical and mental health of the people. The Standing Committees for this major subject matter area shall be:

(3) **Committee on Public Health and Welfare**, whose scope shall be those programs relating to general health, maternal and child care, communicable diseases, dental health, medical and hospital services, mental health, mental retardation and hospitals, and to financial assistance, vocational rehabilitation, and social welfare services.

(4) **Committee on Housing**, whose scope shall be those programs relating to housing.

ECONOMIC DEVELOPMENT

This major subject matter area covers those programs which are intended to insure employment for individuals and families and to encourage the economic development and growth of the State, to provide for Hawaiian Homes programs, to promote government efficiency and improved employment conditions for government employees, and to provide recreational opportunities. The Standing Committees for this major subject matter area shall be:

(5) **Committee on Water, Land Use and Development**, whose scope shall be those programs relating to land and water resources and use, marine resource development, industrial and product promotion, new industry development, financial and technical assistance to business and outdoor recreation, State parks and historic sites development and protection, and fish and game management and Hawaiian Homes programs.

(6) **Committee on Tourism**, whose scope shall be those programs relating to tourism.

(7) **Committee on Agriculture**, whose scope shall be those programs relating to agriculture.

(8) **Committee on Labor and Public Employment**, whose scope shall be those programs relating to employment opportunities and labor-management relations, and to those programs relating to government operations and efficiency, employee pay and benefits, employee recruitment, classification and training, career development, employee performance, employment conditions, standards of conduct for public employees, and collective bargaining.

HUMAN RIGHTS AND JUSTICE

This major subject matter area covers those programs which are intended to safeguard individual and property rights, protect consumers from fraudulent and deceptive practices, promote public safety and improve the conduct of business affairs. The Standing Committees for this major subject matter area shall be:

(9) **Committee on Judiciary and Corrections**, whose scope shall be those programs relating to courts, crime prevention and control, criminal code revision, the rules of the House, judicial and legal questions, constitutional matters, programs of the Attorney General and of the Judiciary (except programs directly related to the Revisor of Statutes) and other pertinent matters referred to it by the House, public institutions on corrections and rehabilitation, and individual rights and civil liberties. In the event of a contest, it shall investigate and report upon the certificates of election of members. The Committee shall consider all petitions and other matters relating to elections and returns referred to it by the House and report thereon.

(10) **Committee on Consumer Protection**. It shall be the duty of the Committee on Consumer Protection, unless otherwise directed by the House, to consider all bills, petitions, resolutions, matters and those portions of the budget relating to programs for consumer protection and the regulation of trade, business, professions and occupations and other pertinent matters referred to it by the House.

ENVIRONMENT

This major subject matter area covers those programs which are intended to promote conditions which enhance ecological balance, safeguard the environment, and conserve natural resources. The Standing Committee for this major subject matter area shall be:

(11) **Committee on Environmental Protection**, whose scope shall be those programs relating to environmental quality control and protection, and environmental health.

TRANSPORTATION

This major subject matter area covers those programs which are intended to facilitate the physical movement of people and goods into and from the State from place to place within the State. The Standing Committee for this major subject matter area shall be:

(12) **Committee on Transportation**, whose scope shall be those programs relating to air, water and surface transportation.

INTERGOVERNMENTAL RELATIONS

This major subject matter area covers those programs which are intended to promote effective cooperation and coordination among the various levels of government and promote public defense. The Standing Committee for this major subject matter area shall be:

(13) **Committee on Federal, State and County Relations**, whose scope shall be those programs relating to relations among federal-state and county governments, and relating to public defense.

FINANCIAL PLANNING AND MANAGEMENT

This major subject matter area covers those programs which are intended to produce the efficient, effective, economical and equitable acquisition and utilization of financial resources. The Standing Committee for this major subject matter area shall be:

(14) **Committee on Finance**, whose scope shall be those programs relating to overall State Financing policies, including taxation and other revenues and cash and debt management, and statewide implementation of planning, programming, budgeting and evaluation.

LEGISLATIVE MANAGEMENT

This major subject area covers those programs which are intended to provide the administrative supervision of accounting and printing services. The Standing Committee for this major subject matter area shall be:

(15) **Committee on Legislative Management**, whose scope shall be those programs relating to supervision of accounting and printing services, control of the expenses of the House in accordance with the appropriations acts providing for such expenses, and auditing and settling of all accounts which may be charged to the expenses of the House.

RULE 52. STANDING COMMITTEES: GENERAL RESPONSIBILITY

Each Standing Committee shall consider all bills, petitions, resolutions, and other items relating to the programs and matters over which it has primary responsibility and all other items as may properly come before it.

Each committee shall systematically review those portions of the State's program and financial plan and variance reports as may relate to programs over which the committee has primary responsibility. It shall examine those portions of the executive budget and the General Supplemental Appropriations Bills relating to such programs and recommend to the Committee on Finance the programs and amounts to be spent thereon. (The executive budget and the General and the Supplemental Appropriations Bills are hereinafter collectively referred to as the "State budget.") The recommended programs and amounts, taken as a whole, shall be consistent with and within the expenditure amounts allocated by the Committee on Finance.

On other bills referred to a committee by the House, the committee shall, after determination of the objectives of the bill, make appropriate recommendations, including, if proper, expenditure recommendations. Such expenditure recommendations shall be consistent with the allocations established by the Committee on Finance. On bills which relate to programs and matters over which a Standing Committee to which they are referred has no primary responsibility, the Standing Committee shall make no change of any kind to the bill unless the approval of the primary committee is first obtained.

Each Standing Committee shall review how programs over which it has primary responsibility have been carried out in compliance with legislative direction and whether studies, analysis, and audit should be conducted on all or part of a program in order to define issues and recommend improvements. Each Standing Committee shall also recommend amendments to existing appropriation acts and may further recommend revenue measures and improvements to the State's planning, programming, and bud-

geting system to the Committee on Finance.

In every case in which a Standing Committee makes a recommendation to the Committee on Finance, the latter shall make the final recommendation to the House; provided that in making its final recommendation, the Committee on Finance shall not, without the prior concurrence of the Standing Committee having primary responsibility, alter the recommendation of the Standing Committee having primary responsibility for the bill.

RULE 53. COMMITTEE ON FINANCE: SPECIAL RESPONSIBILITY

The Committee on Finance shall have primary responsibility over all programs and matters relating to the State's financing policies, including taxation and other revenues, level of expenditures, and cash and debt management, and to the Statewide implementation of planning, programming, budgeting, and evaluation. Subject to the provisions of these rules, it shall consider the reports of the fiscal officers of the State, all bills, petitions, and resolutions, those portions of the State budget, and all other items pertaining to such programs and matters. It shall also consider such other pertinent items as may be referred to it by the House.

The Committee on Finance shall establish, within the revenue raising ability of the State, the general level of total governmental expenditures for each fiscal year of a biennial period and allocate to each Standing Committee a proportionate part of such expenditures. Each Standing Committee shall be responsible for budget review of the programs within its jurisdiction and for making program expenditure recommendations to the Committee on Finance. Upon receipt of the recommendations of the other Standing Committees, the Committee on Finance shall review the same to determine if, when taken as a whole, the programs and amounts to be expended thereon are consistent with and within the expenditure amounts it has allocated to the respective Standing Committees. In making allocations to and in reviewing recommendations in any program area, the Committee on Finance shall invite the participation of the chairman of the Standing Committee having primary responsibility over the program. After review of all Standing Committee recommendations, the Committee on Finance shall be responsible for preparing General and Supplemental Appropriations Bills and the General Public Improvement Bill for consideration by the House.

In all other appropriations bills, the Committee on Finance shall inform the Standing Committee primarily responsible for the program or matter under consideration, of the amount and type of finances available. Upon receiving recommendations for the expenditures from the appropriate Standing Committee, the Committee on Finance shall review such recommendations to determine if, when taken as a whole the recom-

mendations are consistent with and within the expenditure amounts allocated. In reviewing recommendations of the Standing Committees, the Committee on Finance shall invite the participation of the Standing Committee chairman concerned.

RULE 54. COMMITTEE ON LEGISLATIVE MANAGEMENT: SPECIAL RESPONSIBILITY

It shall be the duty of the Committee on Legislative Management to audit and settle all accounts which may be charged to the House and its individual members, and in general, to oversee the administrative operations of the House. The Committee shall be responsible for all expenditures made by the House and shall submit detailed monthly reports of said expenditures to all of the members of the House throughout its term of office. It shall from time to time direct the Clerk to draw drafts on the treasury for the payment of expenses of the House.

The Committee shall make recommendations on the expenses to be included in the appropriation bills providing for the expenses of the legislature, and it shall be charged with the responsibility of insuring that the expenses of the House are in accordance with the appropriation acts providing therefor.

The Committee shall regularly report to the House in accordance with data supplied by the Manager of the Print Shop, the numbers and amounts of the various bills, resolutions and other documents printed in the Print Shop. It shall

also periodically report on the amounts of materials used by the Print Shop and the costs of such materials.

The Committee shall make recommendations to the House as to improvements in printing procedures, and as to ways in which the Print Shop may be more efficiently operated.

When directed by the House, the Committee shall procure cost estimates as to commercial printing of various documents and report its finding.

It shall also be the duty of the Committee on Legislative Management to consider all bills, petitions, resolutions, matters and those portions of the budget relating to programs to support the accomplishment of legislative goals, including the dissemination of information on legislative process and the establishment and operations of legislative staff and legislative staff agencies such as the Legislative Reference Bureau, the Revisor of the Statutes, the office of the Legislative Auditor and the Ombudsman, and other pertinent matters referred to it by the House.

RULE 55.

The Official Rules of Procedure Adopted by the House of Representatives, State of Hawaii, Seventh Legislature, as set forth above, shall remain in effect until superseded by the Rules of the House of the Eighth Legislature of the State of Hawaii; provided, that the Rules may be amended by a two-thirds (2/3) vote of the members to which the House is entitled.