

TYPES OF BILLS AND RESOLUTIONS

BILLS

The Hawaii State Constitution requires that every law enacted be introduced in the form of a bill. The bill title must encompass the entire subject matter of the bill and each bill can encompass only one subject. Bills are the most important of all vehicles available to the Legislature because, if passed, bills have the force and effect of law.

Some of the major functions of a bill include:

- Adding, amending, or deleting a law in the Hawaii Revised Statutes (HRS)

The vast majority of bills introduced in the Legislature propose to amend the HRS by adding a new law, deleting a law, or amending an existing law. Most laws are regarded as being of a "general and permanent nature" and thus are codified into the HRS.

- Adding, amending, or deleting a law in the Session Laws of Hawaii (SLH)

The SLH is an annual compilation of all laws enacted by the Legislature each session, including laws amending the HRS and those that have no statutory references. Laws belonging in the latter category include laws that appropriate funds, authorize the issuance of bonds, and establish temporary commissions.

- Proposing amendments to the Hawaii State Constitution

The Hawaii State Constitution sets forth the basic principles and laws of the State that determine the powers and duties of government and guarantee certain rights to its people. The Hawaii State Constitution allows the Legislature to propose amendments to the Constitution by adopting proposals through bills. These proposals are then submitted to the electorate for approval or disapproval at the next general election.

Special Types of Bills

Short-form Bills

Most bills are drafted in a form that contains the necessary details to accomplish their purposes. Occasionally, short-form bills are introduced to serve as a vehicle for later consideration of a topic before the details of that topic have been developed. Thus, a short-form bill typically contains only a reference to the general idea of the bill.

Companion Bills

Companion bills are identical versions of the same bill that are introduced in both the House and the Senate to increase their chances of passage.

Administration Bills

Administration bills are prepared by executive branch agencies for consideration by the Legislature.

Carryover Bills

The Hawaii State Constitution provides that any bill pending at the adjournment of a regular session in an odd-numbered year will carryover to the next regular session with the same status. Before the carried-over bill can be enacted, it must pass at least one floor vote in the house of origin.

RESOLUTIONS

Two types of resolutions--concurrent resolutions and single-house resolutions--are used to express the position of the Legislature or a single house, respectively. Resolutions do not have the force and effect of law. They may request that an agency study a proposal or problem and report back to the Legislature. They may also request action by the President of the United States, Hawaii's congressional delegation, the governor, or officials or agencies of other governmental jurisdictions. Although resolutions may be adopted immediately upon introduction, they are typically referred to an appropriate committee and are treated in a similar manner as bills.

Concurrent Resolutions

Concurrent resolutions require adoption in each house and are used to officially state the position of the Legislature. Sometimes the adoption of a concurrent resolution is required by law. For example, the approval of a leasehold development project (Section 171-60, HRS) and the authorization to lease submerged lands (Section 171-53, HRS) both require adoption of concurrent resolutions.

Concurrent resolutions adopted by one house are transmitted to the other house for consideration. If the measure is amended by the second house, it must be returned to the house of origin for its concurrence. On rare occasions, a concurrent resolution may even be referred to a conference committee.

Single-House Resolutions

Single-house resolutions, which require adoption by only a single house, are used to state the position of the House or Senate.

Both concurrent and single-house resolutions may be transmitted to a specific individual, agency, or concerned party upon adoption.

Resolutions do not carry over from one session to the next.