

STAND. COM. REP. NO. **333**

Honolulu, Hawaii

FEB 15 2023

RE: S.B. No. 149
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 149 entitled:

"A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE III OF THE
HAWAII STATE CONSTITUTION TO ESTABLISH A CONTINUOUS
LEGISLATIVE SESSION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a continuous Legislature;
- (2) Require the Legislature to convene at least once a month;
- (3) Remove language regarding special sessions, adjournment, and recesses;
- (4) Create a two-year deadline for a bill to be submitted for gubernatorial consideration;
- (5) Standardize the number of days that the Governor must approve or veto a bill submitted for consideration;
- (6) Require bills returned by the Governor to be heard by the Legislature within an unspecified number of days for the bill to be further amended; and



- (7) Require the passage of the legislative budget within an unspecified number of days before the end of each fiscal year.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawai'i State Ethics Commission and one individual.

Your Committee finds that given the fast pace of the legislative session, people who are not full-time employed in advocacy may have a difficult time learning the process. To have the process compressed and rushed into sixty session days may prohibit the public from participating and advocating at the Legislature. This measure may allow for more public participation and engagement.

Your Committee has amended this measure by:

- (1) Inserting legislative findings;
- (2) Specifying that the Legislature shall not be exempted from any statutory law that prescribes requirements relating to open meetings, notice of meetings, meeting agendas, meeting minutes, or discussions outside of meetings;
- (3) Specifying that the members of the Legislature shall not have any employment outside of the Legislature;
- (4) Specifying that the annual budget shall pass each house and be submitted for gubernatorial consideration forty-five days before the end of the preceding fiscal year;
- (5) Specifying that in case the Legislature fails to convene to act upon any bill returned with objections by the Governor within thirty days after the bill's return, the bill shall not become law;
- (6) Making conforming amendments;



- (7) Inserting an effective date of January 1, 3000, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that the Salary Commission is to take into consideration the setting of salaries. Your Committee also notes that the State is much bigger than the last time the Hawaii State Constitution was amended and the population has since doubled, therefore a full-time legislative session is warranted.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 149, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 149, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

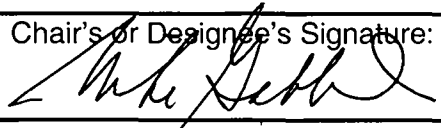


KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 149	Committee Referral: JDC, WAM	Date: 2/2/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.		✓		
SAN BUENAVENTURA, Joy A.		✓		
AWA, Brenton	✓			
TOTAL	3	2	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes