'JAN 1 9 2024

A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLE III OF THE HAWAII STATE CONSTITUTION TO ESTABLISH A CONTINUOUS LEGISLATIVE SESSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that Hawaii's state
 legislature only has sixty session days per year, generally
 stretching from the middle of January until early May. The
 legislature notes that the representatives and senators who
 comprise the state legislature are part-time employees of the
 State.

7 The legislature further finds that the efficiency, 8 productivity, orderliness, and transparency of the state 9 legislature could be improved by requiring that the legislature 10 be in session during every month of the year. The legislature 11 notes that doing so would make the representatives and senators 12 who comprise the state legislature into full-time employees of 13 the State.

14 The purpose of this Act is to propose amendments to article
15 III of the Constitution of the State of Hawaii to establish a
16 continuous legislative session. Specifically, this Act:



1	(1)	Requires the legislature to convene at least once a
2		month;
3	(2)	Removes constitutional language regarding special
4		sessions, adjournment, and recesses;
5	(3)	Creates a two-year deadline for a bill to be submitted
6		for gubernatorial consideration;
7	(4)	Standardizes the number of days that the governor must
8		approve or veto a bill submitted for consideration;
9	(5)	Requires the passage of the legislative budget forty-
10		five days before the end of each fiscal year;
11	(6)	Makes members of the legislature subject to the
12		sunshine law; and
13	(7)	Prohibits members of the legislature from having
14		employment other than their work as members of the
15		legislature.
16	SECT	ION 2. Article III of the Constitution of the State of
17	Hawaii is amended by adding a new section to be appropriately	
18	designated and to read as follows:	
19	"MEETING TRANSPARENCY	
20	The	legislature shall be subject to any statutory law that
21	prescribe	s requirements relating to open meetings, notice of



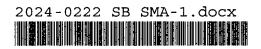
1	meetings, meeting agendas, meeting minutes, or discussions			
2	outside of meetings, notwithstanding any statutory language that			
3	otherwise would exempt the legislature from those requirements."			
4	SECTION 3. Article III, section 8, of the Constitution of			
5	the State of Hawaii is amended to read as follows:			
6	"DISQUALIFICATIONS OF MEMBERS			
7	Section 8. No member of the legislature shall hold any			
8	other public office under the State, nor shall the member,			
9	during the term for which the member is elected or appointed, be			
10	elected or appointed to any public office [or employment which]			
11	that shall have been created, or the emoluments whereof shall			
12	have been increased, by legislative act during [such] <u>the</u>			
13	term $[-,]$, or have any employment outside of the legislature. The			
14	term "public offices," for the purposes of this section, shall			
15	not include notaries public, reserve police officers or officers			
16	of emergency organizations for civilian defense or disaster			
17	relief. The legislature may prescribe further			
18	disqualifications."			
19	SECTION 4. Article III, section 10, of the Constitution of			
20	the State of Hawaii is amended to read as follows:			
21	"[SESSIONS] MEETINGS			



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1	Section 10. The legislature shall convene annually [in
2	regular session] at 10:00 o'clock a.m. on the third Wednesday in
3	January. The legislature shall convene at least once a month.
4	[At the written request of two thirds of the members to
5	which each house is entitled, the presiding officers of both
6	houses shall convene the legislature in special session. At the
7	written request of two thirds of the members of the senate, the
8	president of the senate shall convene the senate in special
9	session for the purpose of carrying out its responsibility
10	established by Section 3 of Article VI. The governor may
11	convene both houses or the senate alone in special session.
12	Regular sessions shall be limited to a period of sixty
13	days, and special sessions shall be limited to a period of
14	thirty days. Any session may be extended a total of not more
15	than fifteen days. Such extension shall be granted by the
16	presiding officers of both houses at the written request of two-
17	thirds of the members to which each house is entitled or may be
18	granted by the governor.
19	Each regular session shall be recessed for not less than
20	five days at some period between the twentieth and fortieth days
21	of the regular session. The legislature shall determine the



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1 dates of the mandatory recess by concurrent resolution. Any 2 session may be recessed by concurrent resolution adopted by a majority of the members to which each house is entitled. 3 Saturdays, Sundays, -holidays, the days in mandatory recess and 4 5 any days in recess pursuant to a concurrent resolution shall be 6 excluded in computing the number of days of any session.] 7 All [sessions] meetings shall be held in the capital of the State. In case the capital shall be unsafe, the governor may 8 9 direct that any [session] meeting be held at some other place." 10 SECTION 5. Article III, section 12, of the Constitution of 11 the State of Hawaii is amended to read as follows: 12 "ORGANIZATION; DISCIPLINE; RULES; PROCEDURE 13 Section 12. Each house shall be the judge of the 14 elections, returns and qualifications of its own members and shall have, for misconduct, disorderly behavior or neglect of 15 duty of any member, power to punish [such] the member by censure 16 or, upon a two-thirds vote of all the members to which [such] 17 the house is entitled, by suspension or expulsion of [such] the 18 19 member. Each house shall choose its own officers, determine the rules of its proceedings and keep a journal. The ayes and noes



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1 of the members on any question shall, at the desire of one-fifth of the members present, be entered upon the journal. 2 3 Twenty days after a bill has been referred to a committee 4 in either house, the bill may be recalled from [such] the 5 committee by the affirmative vote of one-third of the members to 6 which [such] the house is entitled. 7 Every meeting of a committee in either house or of a 8 committee comprised of a member or members from both houses held 9 for the purpose of making decision on matters referred to the 10 committee shall be open to the public. 11 [By rule of its proceedings, applicable to both houses, 12 each house shall provide for the date by which all bills to be 13 considered in a regular session shall be introduced.] " 14 SECTION 6. Article III, section 15, of the Constitution of the State of Hawaii is amended to read as follows: 15 16 "PASSAGE OF BILLS 17 Section 15. No bill shall become law unless it shall pass three readings in each house on separate days. No bill shall 18 19 pass third or final reading in either house unless printed 20 copies of the bill in the form to be passed shall have been made



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available to the members of that house for at least forty-eight
 hours.

Every bill when passed by the house in which it originated,
or in which amendments thereto shall have originated, shall
immediately be certified by the presiding officer and clerk and
sent to the other house for consideration.

7 [Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same 8 status to the next regular session. - Before the carried over 9 10 bill is enacted, it shall pass at least one reading in the house in which the bill originated.] The annual budget shall pass each 11 12 house and be submitted for gubernatorial consideration forty-13 five days before the end of the preceding fiscal year. Any 14 bill, except for the annual budget bill, shall have two calendar years after introduction to pass each house and be submitted for 15 gubernatorial consideration. If the last day of the period 16 17 within which the bill is required to be submitted for 18 qubernatorial consideration falls on a Saturday, Sunday or 19 holiday, the period shall extend to the next day that is not a Saturday, Sunday or holiday." 20



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1	SECTION 7. Article III, section 16, of the Constitution of				
2	the State of Hawaii is amended to read as follows:				
3	"APPROVAL OR VETO				
4	Section 16. Every bill [which] that shall have passed the				
5	legislature shall be certified by the presiding officers and				
6	clerks of both houses and shall thereupon be presented to the				
7	governor. If the governor approves it, the governor shall sign				
8	it and it shall become law. If the governor does not approve				
9	[such] <u>the</u> bill, the governor may return it, with the governor's				
10	objections to the legislature. Except for items appropriated to				
11	be expended by the judicial and legislative branches, the				
12	governor may veto any specific item or items in any bill [which]				
13	that appropriates money for specific purposes by striking out or				
14	reducing the same; but the governor shall veto other bills, if				
15	at all, only as a whole.				
16	The governor shall have [ten] <u>ninety calendar</u> days to				
17	consider bills presented [to the governor ten or more days				
18	before the adjournment of the legislature sine die], and if any				
19	[such] bill is neither signed nor returned by the governor				
20	within that time, it shall become law in like manner as if the				
21	governor had signed it. <u>If the last day of the period within</u>				



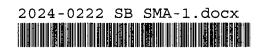
1	which the bill presented is required to be signed or returned	
2	falls on a Saturday, Sunday or holiday, the period shall extend	
3	to the next day that is not a Saturday, Sunday or holiday.	
4	RECONSIDERATION [AFTER ADJOURNMENT	
5	The governor shall have forty five days, after the	
6	adjournment of the legislature sine die, to consider bills	
7	presented to the governor less than ten days before such	
8	adjournment, or presented after adjournment, and any such bill	
9	shall become law on the forty fifth day unless the governor by	
10	proclamation shall have given ten days' notice to the	
11	legislature that the governor plans to return such bill with the	
12	governor's objections on that day. The legislature may convene	
13	at or before noon on the forty fifth day in special session,	
14	without call, for the sole purpose of acting upon any such bill	
15	returned by the governor. In case the legislature shall fail to	
16	so convene, such bill shall not become law.] Any [such] bill	
17	may be amended to meet the governor's objections and, if so	
18	amended and passed, only one reading being required in each	
19	house for [such] passage, it shall be presented again to the	
20	governor, but shall become law only if the governor shall sign	
21	it within ten days after presentation. If the last day of the	



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1	period within which the amended bill is required to be signed by	
2	the governor falls on a Saturday, Sunday or holiday, the period	
3	shall extend to the next day that is not a Saturday, Sunday or	
4	holiday.	
5	[In computing the number of days designated in this	
6	section, the following days shall be excluded: Saturdays,	
7	Sundays, holidays and any days in which the legislature is in	
8	recess prior to its adjournment as provided in section 10 of	
9	this article.]"	
10	SECTION 8. Article III, section 11, of the Constitution of	
11	the State of Hawaii is repealed.	
	["ADJOURNMENT	
12	["ADJOURNMENT	
12 13	["ADJOURNMENT Section 11. Neither house shall adjourn during any session	
13	Section 11. Neither house shall adjourn during any session	
13 14	Section 11. Neither house shall adjourn during any session of the legislature for more than three days, or sine die,	
13 14 15	Section 11. Neither house shall adjourn during any session of the legislature for more than three days, or sine die, without the consent of the other."]	
13 14 15 16	Section 11. Neither house shall adjourn during any session of the legislature for more than three days, or sine die, without the consent of the other."] SECTION 9. The question to be printed on the ballot shall	
13 14 15 16 17	<pre>Section 11. Neither house shall adjourn during any session of the legislature for more than three days, or sine die, without the consent of the other."] SECTION 9. The question to be printed on the ballot shall be as follows:</pre>	
13 14 15 16 17 18	<pre>Section 11. Neither house shall adjourn during any session of the legislature for more than three days, or sine die, without the consent of the other."] SECTION 9. The question to be printed on the ballot shall be as follows: "Shall the legislature meet continuously throughout the</pre>	



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1	(b)	Members of the legislature be prohibited from having
2		employment other than their work as members of the
3		legislature;
4	(c)	The legislature is required to meet at least once a
5		month;
6	(d)	Procedures for convening special sessions be repealed;
7		and
8	(e)	A two-year deadline for a bill to be submitted for
9		gubernatorial consideration be established, the
10		governor be given ninety calendar days to approve or
11		veto a bill submitted for consideration, and the
12		legislative budget be required to pass within forty-
13		five days before the end of each fiscal year?"
14	SECT	ION 10. Constitutional material to be repealed is
15	bracketed	and stricken. New constitutional material is
16	underscore	ed.
17	SECT	ION 11. This amendment shall take effect upon
18	compliance	e with article XVII, section 3, of the Constitution of
19	the State	of Hawaii.
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Report Title: Continuous Legislative Session; Constitutional Amendment; Constitutional Repeal

Description:

Establishes a continuous Legislature. Requires the Legislature to convene at least once a month. Removes language regarding special sessions, adjournment, and recesses. Creates a two-year deadline for a bill to be submitted for gubernatorial consideration. Standardizes the number of days that the Governor must approve or veto a bill submitted for consideration. Requires the passage of the legislative budget within 45 days before the end of each fiscal year. Makes members of the Legislature subject to the sunshine law. Prohibits members of the Legislature from having employment other than their work as members of the Legislature.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

