

JAN 17 2025

A BILL FOR AN ACT

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

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

1 SECTION 1. The legislature finds that Hawaii's state
2 legislature is in session for only sixty session days per year,
3 generally from the middle of January until early May. The
4 legislature notes that the representatives and senators who
5 comprise the state legislature are part-time employees of the
6 State.

7 The legislature further finds that the efficiency,
8 productivity, and orderliness of the state legislature could be
9 improved by requiring that the legislature be in session during
10 every month of the year. The legislature notes that doing so
11 would make the representatives and senators who comprise the
12 state legislature full-time employees of the State. The
13 legislature also finds this change in the nature of legislators'
14 employment status will warrant a reevaluation by the commission
15 on salaries of legislative members' salaries.



S.B. NO. 733

1 The purpose of this Act is to propose amendments to the
2 Constitution of the State of Hawaii to establish a continuous
3 legislative session, beginning in January 2029. Specifically,
4 this Act:

- 5 (1) Requires the legislature to convene at least once each
6 month;
- 7 (2) Removes constitutional language regarding special
8 sessions, adjournment, and recesses;
- 9 (3) Creates a two-year deadline for a bill to be submitted
10 for gubernatorial consideration;
- 11 (4) Standardizes the number of days that the governor must
12 approve or veto a bill submitted for consideration;
- 13 (5) Requires the passage of the legislative budget not
14 later than forty-five days before the end of each
15 fiscal year;
- 16 (6) Prohibits members of the legislature from holding any
17 position of employment in the private sector during
18 their term;
- 19 (7) Authorizes members of the legislature to serve in the
20 United States military reserves, National Guard, or



1 hold any lawful position of government employment,
 2 subject to certain current ethical limitations; and
 3 (8) Establishes salaries of the members of the legislature
 4 pursuant to recommendations by the commission on
 5 salaries submitted during the 2028 regular session,
 6 unless those recommendations are amended by law.

7 SECTION 2. Article III, section 8, of the Constitution of
 8 the State of Hawaii is amended to read as follows:

9 **"DISQUALIFICATIONS OF MEMBERS**

10 **Section 8.** No member of the legislature [~~shall hold any~~
 11 ~~other public office under the State, nor shall the member~~],
 12 during the term for which the member is elected or appointed,
 13 shall hold any position of employment in the private sector.
 14 The member may serve in the United States military reserves,
 15 National Guard, or hold any lawful position of government
 16 employment; provided that the member shall not be elected or
 17 appointed to any public office or employment [~~which~~] that shall
 18 have been created, or the emoluments whereof shall have been
 19 increased, by legislative act during [~~such~~] the term. The term
 20 "public offices," for the purposes of this section, shall not
 21 include notaries public, reserve police officers or officers of



1 emergency organizations for civilian defense or disaster relief.
2 The legislature may prescribe further disqualifications."

3 SECTION 3. Article III, section 10, of the Constitution of
4 the State of Hawaii is amended to read as follows:

5 " **[SESSIONS] MEETINGS**

6 **Section 10.** The legislature shall convene annually [~~in~~
7 ~~regular session~~] at 10:00 o'clock a.m. on the third Wednesday in
8 January. The legislature shall convene at least once each
9 month.

10 [~~At the written request of two thirds of the members to~~
11 ~~which each house is entitled, the presiding officers of both~~
12 ~~houses shall convene the legislature in special session. At the~~
13 ~~written request of two thirds of the members of the senate, the~~
14 ~~president of the senate shall convene the senate in special~~
15 ~~session for the purpose of carrying out its responsibility~~
16 ~~established by Section 3 of Article VI. The governor may~~
17 ~~convene both houses or the senate alone in special session.~~

18 ~~Regular sessions shall be limited to a period of sixty~~
19 ~~days, and special sessions shall be limited to a period of~~
20 ~~thirty days. Any session may be extended a total of not more~~
21 ~~than fifteen days. Such extension shall be granted by the~~



1 ~~presiding officers of both houses at the written request of~~
2 ~~two thirds of the members to which each house is entitled or may~~
3 ~~be granted by the governor.~~

4 ~~Each regular session shall be recessed for not less than~~
5 ~~five days at some period between the twentieth and fortieth days~~
6 ~~of the regular session. The legislature shall determine the~~
7 ~~dates of the mandatory recess by concurrent resolution. Any~~
8 ~~session may be recessed by concurrent resolution adopted by a~~
9 ~~majority of the members to which each house is entitled.~~
10 ~~Saturdays, Sundays, holidays, the days in mandatory recess and~~
11 ~~any days in recess pursuant to a concurrent resolution shall be~~
12 ~~excluded in computing the number of days of any session.]~~

13 All [~~sessions~~] meetings shall be held in the capital of the
14 State. In case the capital shall be unsafe, the governor may
15 direct that any [~~session~~] meeting be held at some other place."

16 SECTION 4. Article III, section 12, of the Constitution of
17 the State of Hawaii is amended to read as follows:

18 **"ORGANIZATION; DISCIPLINE; RULES; PROCEDURE**

19 **Section 12.** Each house shall be the judge of the
20 elections, returns and qualifications of its own members and
21 shall have, for misconduct, disorderly behavior or neglect of



1 duty of any member, power to punish [~~such~~] the member by censure
2 or, upon a two-thirds vote of all the members to which [~~such~~]
3 the house is entitled, by suspension or expulsion of [~~such~~] the
4 member. Each house shall choose its own officers, determine the
5 rules of its proceedings and keep a journal. The ayes and noes
6 of the members on any question shall, at the desire of one-fifth
7 of the members present, be entered upon the journal.

8 Twenty days after a bill has been referred to a committee
9 in either house, the bill may be recalled from [~~such~~] the
10 committee by the affirmative vote of one-third of the members to
11 which [~~such~~] the house is entitled.

12 Every meeting of a committee in either house or of a
13 committee comprised of a member or members from both houses held
14 for the purpose of making decision on matters referred to the
15 committee shall be open to the public.

16 ~~[By rule of its proceedings, applicable to both houses,~~
17 ~~each house shall provide for the date by which all bills to be~~
18 ~~considered in a regular session shall be introduced.]"~~

19 SECTION 5. Article III, section 15, of the Constitution of
20 the State of Hawaii is amended to read as follows:



1 gubernatorial consideration falls on a Saturday, Sunday or
2 holiday, the period shall extend to the next day that is not a
3 Saturday, Sunday or holiday."

4 SECTION 6. Article III, section 16, of the Constitution of
5 the State of Hawaii is amended to read as follows:

6 **"APPROVAL OR VETO**

7 **Section 16.** Every bill [~~which shall have~~] that has passed
8 the legislature shall be certified by the presiding officers and
9 clerks of both houses and shall thereupon be presented to the
10 governor. If the governor approves it, the governor shall sign
11 it and it shall become law. If the governor does not approve
12 [~~such~~] the bill, the governor may return it, with the governor's
13 objections to the legislature. Except for items appropriated to
14 be expended by the judicial and legislative branches, the
15 governor may veto any specific item or items in any bill [~~which~~]
16 that appropriates money for specific purposes by striking out or
17 reducing the same; but the governor shall veto other bills, if
18 at all, only as a whole.

19 The governor shall have [~~ten~~] ninety calendar days to
20 consider bills presented [~~to the governor ten or more days~~
21 ~~before the adjournment of the legislature sine die~~], and if any



1 [such] bill is neither signed nor returned by the governor
2 within that time, it shall become law in like manner as if the
3 governor had signed it. If the last day of the period within
4 which the bill presented is required to be signed or returned
5 falls on a Saturday, Sunday or holiday, the period shall extend
6 to the next day that is not a Saturday, Sunday or holiday.

7 **RECONSIDERATION [~~AFTER ADJOURNMENT~~**

8 ~~The governor shall have forty-five days, after the~~
9 ~~adjournment of the legislature sine die, to consider bills~~
10 ~~presented to the governor less than ten days before such~~
11 ~~adjournment, or presented after adjournment, and any such bill~~
12 ~~shall become law on the forty-fifth day unless the governor by~~
13 ~~proclamation shall have given ten days' notice to the~~
14 ~~legislature that the governor plans to return such bill with the~~
15 ~~governor's objections on that day. The legislature may convene~~
16 ~~at or before noon on the forty-fifth day in special session,~~
17 ~~without call, for the sole purpose of acting upon any such bill~~
18 ~~returned by the governor. In case the legislature shall fail to~~
19 ~~so convene, such bill shall not become law.] Any [such] bill~~
20 may be amended to meet the governor's objections and, if so
21 amended and passed, only one reading being required in each



1 house for [~~such~~] passage, it shall be presented again to the
2 governor, but shall become law only if the governor shall sign
3 it within ten days after presentation. If the last day of the
4 period within which the amended bill is required to be signed by
5 the governor falls on a Saturday, Sunday or holiday, the period
6 shall extend to the next day that is not a Saturday, Sunday or
7 holiday.

8 ~~[In computing the number of days designated in this~~
9 ~~section, the following days shall be excluded: Saturdays,~~
10 ~~Sundays, holidays and any days in which the legislature is in~~
11 ~~recess prior to its adjournment as provided in section 10 of~~
12 ~~this article.]"~~

13 SECTION 7. Article XVI, section 3.5, of the Constitution
14 of the State of Hawaii is amended to read as follows:

15 **"SALARY COMMISSION**

16 **Section [3.5].** There shall be a commission on salaries
17 as provided by law, which shall review and recommend salaries
18 for the justices and judges of all state courts, members of the
19 legislature, department heads or executive officers of the
20 executive departments and the deputies or assistants to
21 department heads of the executive departments as provided by



1 law, excluding the University of Hawaii and the department of
2 education. The commission shall also review and make
3 recommendations for the salary of the administrative director of
4 the State or equivalent position and the salary of the governor
5 and the lieutenant governor.

6 Any salary established pursuant to this section shall not
7 be decreased during a term of office, unless by general law
8 applying to all salaried officers of the State.

9 Not later than the fortieth legislative day of the 2007
10 regular legislative session and every six years thereafter, the
11 commission shall submit to the legislature its recommendations
12 and then dissolve.

13 The recommended salaries submitted shall become effective
14 as provided in the recommendation, unless the legislature
15 disapproves the entire recommendation as a whole by adoption of
16 a concurrent resolution prior to adjournment sine die of the
17 legislative session in which the recommendation is submitted;
18 provided that any change in salary which becomes effective shall
19 not apply to the legislature to which the recommendation for the
20 change in salary was submitted.



1 "Shall the legislature meet continuously throughout
2 the year, beginning in January 2029, subject to the
3 following:

4 (a) Members shall be prohibited from holding any
5 position of employment in the private sector
6 during their term;

7 (b) Members may serve in the United States military
8 reserves, National Guard, or hold any lawful
9 position of government employment, subject to
10 certain current ethical limitations;

11 (c) The legislature shall be required to meet at
12 least once each month;

13 (d) Procedures for convening special legislative
14 sessions shall be repealed;

15 (e) A two-year deadline for a bill to be submitted
16 for gubernatorial consideration shall be
17 established, the governor shall within ninety
18 calendar days approve or veto a bill submitted
19 for consideration, and passage of the legislative
20 budget shall be required not later than



1 forty-five days before the end of each fiscal
2 year; and
3 (f) Salaries of the members of the legislature shall
4 be established pursuant to recommendations
5 submitted to the legislature by the commission on
6 salaries during the 2028 regular session, unless
7 those recommendations are amended by law?"

8 SECTION 10. Constitutional material to be repealed is
9 bracketed and stricken. New constitutional material is
10 underscored.

11 SECTION 11. These amendments shall take effect upon
12 compliance with article XVII, section 3, of the Constitution of
13 the State of Hawaii during the 2026 general election; provided
14 that sections 2, 3, 4, 5, 6 and 8 shall take effect on January
15 1, 2029.

16

INTRODUCED BY: 



S.B. NO. 733

Report Title:

Continuous Legislative Session; Constitutional Amendment;
Constitutional Repeal

Description:

Establishes a continuous Legislature. Requires the Legislature to convene at least once each month. Repeals language regarding special sessions, adjournment, and recesses. Creates a 2-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. Prohibits members of the legislature from holding any position of employment in the private sector during their term. Authorizes members to serve in the United States military reserves, National Guard, or hold any lawful position of government employment, subject to certain current ethical limitations. Establishes salaries of the members of the Legislature pursuant to recommendations by the Commission on Salaries submitted during the 2028 regular session, unless those recommendations are amended by law.

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