THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

# S.B. NO. 133

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:**

SECTION 1. The legislature finds that Hawaii's state legislature is in session for only sixty session days per year, generally 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.

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

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

(1) Requires the legislature to convene at least once each month;

(2) Removes constitutional language regarding special sessions, adjournment, and recesses;

(3) Creates a two-year deadline for a bill to be submitted for gubernatorial consideration;

(4) Standardizes the number of days that the governor must approve or veto a bill submitted for consideration;

(5) Requires the passage of the legislative budget not later than forty-five days before the end of each fiscal year;

(6) Prohibits members of the legislature from holding any position of employment in the private sector during their term;

(7) Authorizes members of the legislature to serve in the United States military reserves, National Guard, or

hold any lawful position of government employment, subject to certain current ethical limitations; and

(8) 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.

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

"**DISQUALIFICATIONS OF MEMBERS**

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

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

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

"[~~SESSIONS~~] MEETINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**"PASSAGE OF BILLS**

**Section 15.** No bill shall become law unless it shall pass three readings in each house on separate days. No bill shall pass third or final reading in either house unless printed copies of the bill in the form to be passed shall have been made 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.

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. Before the carried-over bill is enacted, it shall pass at least one reading in the house in which the bill originated. The general appropriations bill or the supplemental appropriations bill for the ensuing fiscal year, as the case may be, shall pass each house and be submitted for gubernatorial consideration not later than forty-five days before the end of the existing fiscal year. If the last day of the period within which the bill is required to be submitted for

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

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

**"APPROVAL OR VETO**

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

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

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

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

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

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

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

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

"**SALARY COMMISSION**

**Section [~~1~~]3.5[~~1~~].** There shall be a commission on salaries as provided by law, which shall review and recommend salaries for the justices and judges of all state courts, members of the legislature, department heads or executive officers of the executive departments and the deputies or assistants to department heads of the executive departments as provided by

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

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

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

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

Notwithstanding the foregoing provisions of this section, the commission on salaries shall convene no later than the month of November 2027 for the sole purpose of making recommendations for the salaries of the members of the legislature, to take effect from January 1, 2029, to December 31, 2032. Members of the commission shall be appointed in the same manner that members are normally appointed as provided by law. Not later than the fortieth legislative day of the 2028 regular legislative session, the commission shall submit to the legislature its recommendations and shall then dissolve. The recommended salaries submitted shall become effective as provided in the recommendation, unless amended by law."

SECTION 8. Article III, section 11, of the Constitution of the State of Hawaii is repealed.

["~~**ADJOURNMENT**~~

~~**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 year, beginning in January 2029, subject to the following:

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

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

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

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

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

forty-five days before the end of each fiscal year; and

(f) Salaries of the members of the legislature shall be established pursuant to recommendations submitted to the legislature by the commission on salaries during the 2028 regular session, unless those recommendations are amended by law?"

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

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

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.

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