Hawai‘i’s Legislative Process

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by
Stephanie Kim
and
Robbie Watland
Government Relations Office
University Of Hawai‘i System
Legislature

• Senate
  25 Members (23 Democrats – 2 Republicans)
  Big Island (3 members)
  Kaua‘i, Ni‘ihau (1 members)
  Maui, Moloka‘i, Lāna‘i (3 members)
  O‘ahu (18 members)

• House of Representatives
  51 Members (45 Democrats – 6 Republicans)
  Big Island (7 members)
  Kaua‘i, Ni‘ihau (3 members)
  Maui, Moloka‘i, Lāna‘i (6 members)
  O‘ahu (35 members)
Legislative Sessions

- Meets in Regular Session every year
- Convenes on the 3rd Wednesday in January
- 60 Session Days (Not including Saturdays, Sundays, Holidays, and Recess Days)
- Usually ends late April or early May
- Special Sessions can be called by Governor or Legislature (2/3 Vote)
• Approximately 3,000 bills introduced each session
• Used to enact law
• Must pass 3 readings in each Chamber (House/Senate) on separate days
• Must be approved (or at least not vetoed) by Governor to become law
Bills (continued)

- Limited to a single subject contained within its title
- Title cannot be amended
- Must be introduced by a legislator (i.e. Governor’s Package)
• Legislative Deadlines
  – Cutoff
  – Lateral
  – Deck
  – Crossover
  – Sine Die (Adjournment)
Committees

• Standing Committees
• Bills are referred to committees for public hearing and possible amendment(s)
• Chamber Sessions
Committee Referrals

- HED, FIN (1st to Higher Education, then to Finance)
- HLT/HED, FIN (1st to Joint hearing between Health and Higher Education, then Finance). All bills having money implications must go to money committee.
- HLT, HED, FIN (triple referral)
Committee Actions

• Hold public hearings and take testimony.
• Usually, 48-hours notice required for hearing.
• After hearing, committee can pass bill as is, “hold” it, or amend it.
• Committee report
Crossover

- Bills passed by the House go over to the Senate
- Bills passed by the Senate go over to the House
• Bills in the Second Chamber - Do It All Over Again
  – Introduction and Passage on 1st Reading
  – Referral to Committee(s)
  – Move to Last Committee by Second Lateral
  – Amended Bills Have to be Filed by Second Deck
• Bill passed 3 readings in Second Chamber, now can it go to the Governor?
  – Only if the Second Chamber made no amendments
• What Happens if the Second Chamber Made Changes?
  – If the First Chamber AGREES - Go To Governor
  – If the First Chamber DISAGREES-Go To CONFERENCE
Both Chambers must agree on what the Legislature sends to the Governor

- CONFERENCE is the process by which differences are hammered out
- Each Chamber appoints a team of Conferees (Negotiators)
• Meetings of Conferees are open to the public, but no testimony is taken
• If a compromised amendment is reached during conference, bill is sent to both Chambers for Final vote for enrollment to Governor
Once a bill is passed by the Legislature and enrolled to the Governor for approval, there are constitutional deadlines the Governor has to take action.
• If bill enrolled to the Governor 10 or more days prior to Sine Die, the Governor has 10 days to pass, veto or allow bill to become law without signature.

• If bill enrolled less than 10 days prior to Sine Die, the Governor has 45 days after Sine Die to pass, veto or allow bill to become law without signature.

• If the Governor intends to veto a bill, the Governor must notify the Legislature by the 35th day the intent to veto.
• Any bill enrolled to the Governor that is neither signed into law, vetoed by the Governor, or overridden in Special Session by the Legislature, will automatically become law.
• Total number of bills (House and Senate):
  – Introduced: 2,748
  – Tracked by UH-Government Relations: 432
  – Testimony submitted: 125
  – Passed the Legislature: 49
  – Enacted: 34
  – Vetoed: 9
  – Overridden: 6