



# **THE BASICS: INTRODUCTION TO THE HAWAII STATE LEGISLATURE & THE LEGISLATIVE PROCESS**

Welcome to the Public Access Room's (PAR's) "Introduction to the Hawaii State Legislature & the Legislative Process" tutorial. We'll talk about the three branches of government, the State legislature, and how laws are created.

# Public Access Room (PAR)

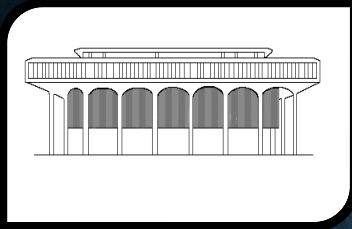
- Help, information and training at **no charge**
- **Non-partisan**
- Lots of resources!
  - Guidance on process
  - Computers with internet
  - Wireless access & recharge station
  - Copies of testimony
  - Helpful handouts
  - Workshops and tutorials



First off, let us tell you about our office. The Public Access Room, also known as “PAR”, is **non-partisan** (we’re not associated with any political party), and we are concerned with the **process** of how bills become laws, and never in **policy** considerations (we’ll help everyone – no matter what their position on an issue). There is never a fee for our services – we’re supported by your tax dollars. When the capitol is open to the public, you can come to PAR to use one of the six public computers or the printer, have a small meeting, get copies of your testimony, or watch a hearing remotely. We have tables for you to work on your laptop (there’s free wi-fi throughout the building) or recharge your devices. Or perhaps just sit and relax a while. We can answer your questions and point you to resources. We also offer workshops and tutorials so you can learn more. **The capitol is currently closed to the public due to COVID-19 concerns.**

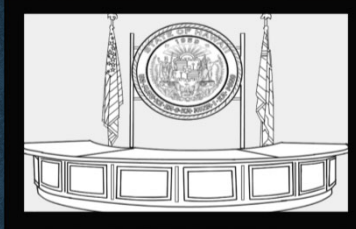
More information on PAR can be found on our website: <https://lrb.hawaii.gov/par/>

## THREE BRANCHES OF GOVERNMENT



### Legislative

- State Senate
- State House of Representatives
  - Office of the Auditor
  - Office of the Ombudsman
  - Legislative Reference Bureau



### Executive

- Governor
- Lieutenant Governor
  - 17 Departments
  - University of Hawaii System
    - Administered by the UH Board of Regents



### Judicial

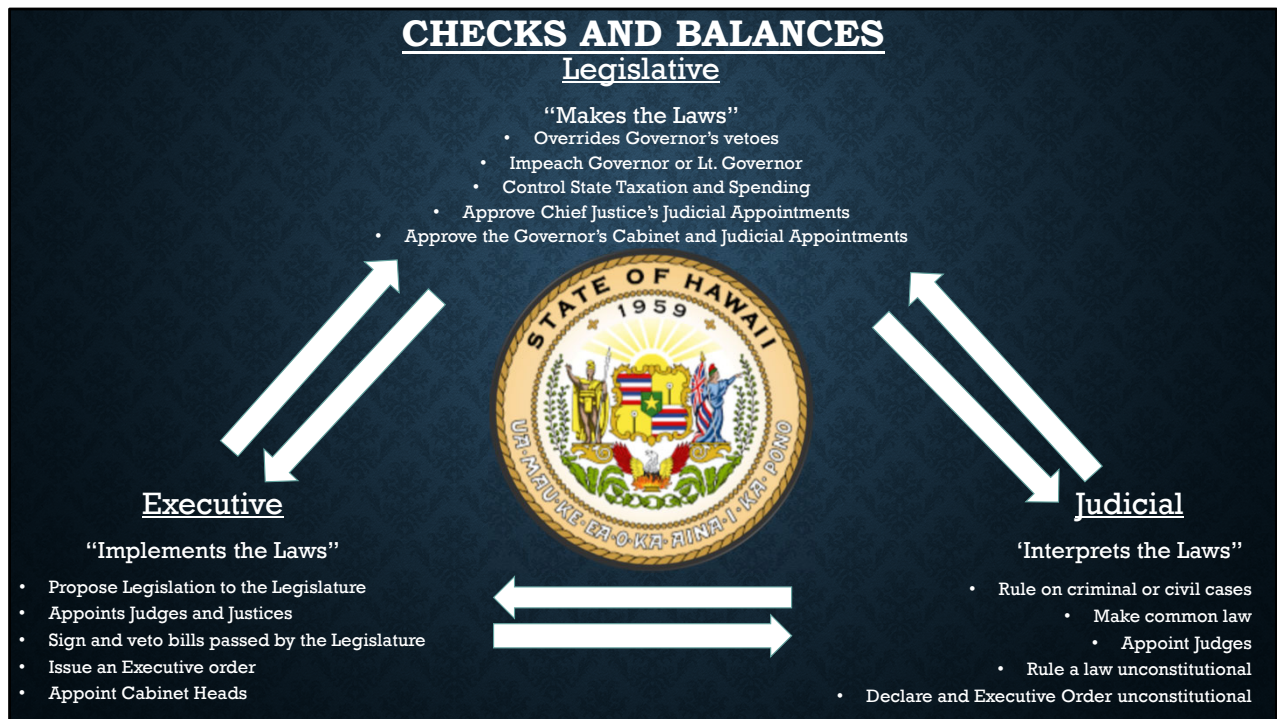
- Supreme Court
- Intermediate Court of Appeals
- Circuit Courts
- Family Courts
- Land Court
- Tax Appeal Court
- Environmental Courts
- District Courts
- Office of the Administrative Director of the Courts
- Numerous Judiciary programs

In the United States, at the national level government is divided into three different and equal branches – the Legislative branch, the Executive branch, and the Judicial branch. Our State government is divided the same way.

Today, we'll be talking about the Legislative branch. It is made up of the State Senate (25 members), the State House of Representatives (51 members), and their staff and legislative support offices.

(Note: Hawaii also has the Office of Hawaiian Affairs, but that's outside the scope of this workshop.)





The branches' powers are designed so that they keep each other in check, and that one does not become more powerful than the others. This is the system called “checks and balances”. So, for example, while the Legislative branch crafts the laws, the Executive branch could veto a law and the Judicial branch could rule a law unconstitutional. Or, while the Executive branch gives out the money, it is the Legislative branch that determines how much money can be spent and where. And, while the Judicial and Executive branches can name judges, such nominations are subject to Legislative approval.



The Legislative branch, the lawmaking branch, has two chambers of elected members, the Senate and the House of Representatives. (They call this a “bi-cameral” legislature.) They work together to pass laws. This structure is modeled after the Federal government and is like most other states.

## WHAT IS THE LEGISLATIVE BRANCH?

- Makes the rules or “**laws**” that people follow.
- Hawaii’s State legislature is made up of two groups (**chambers**) that work together to create and develop laws. This means that Hawaii has a **bicameral legislature**.
- The **Senate** and the **House of Representatives** are the names of the two chambers.

The “legislature” consists of both the Senate and the House of Representatives. Its members are called senators and representatives, or you can use the word “legislator” to talk about any of them. They work together, introducing and discussing bills that may become laws. The legislature also passes the State budgets that say how much money is given to each branch and how they can spend it.



## HAWAII'S BICAMERAL LEGISLATURE

- **State Senate**

- 25 Members
- Elected to 4-year terms

- **House of Representatives**

- 51 Members
- Elected to 2-year terms

Part-Time Legislature  
Biennial Legislative Session

**To Be Eligible: Must have been a resident of Hawaii for at least three years, be 18 or older, and live in the district you want to represent.**

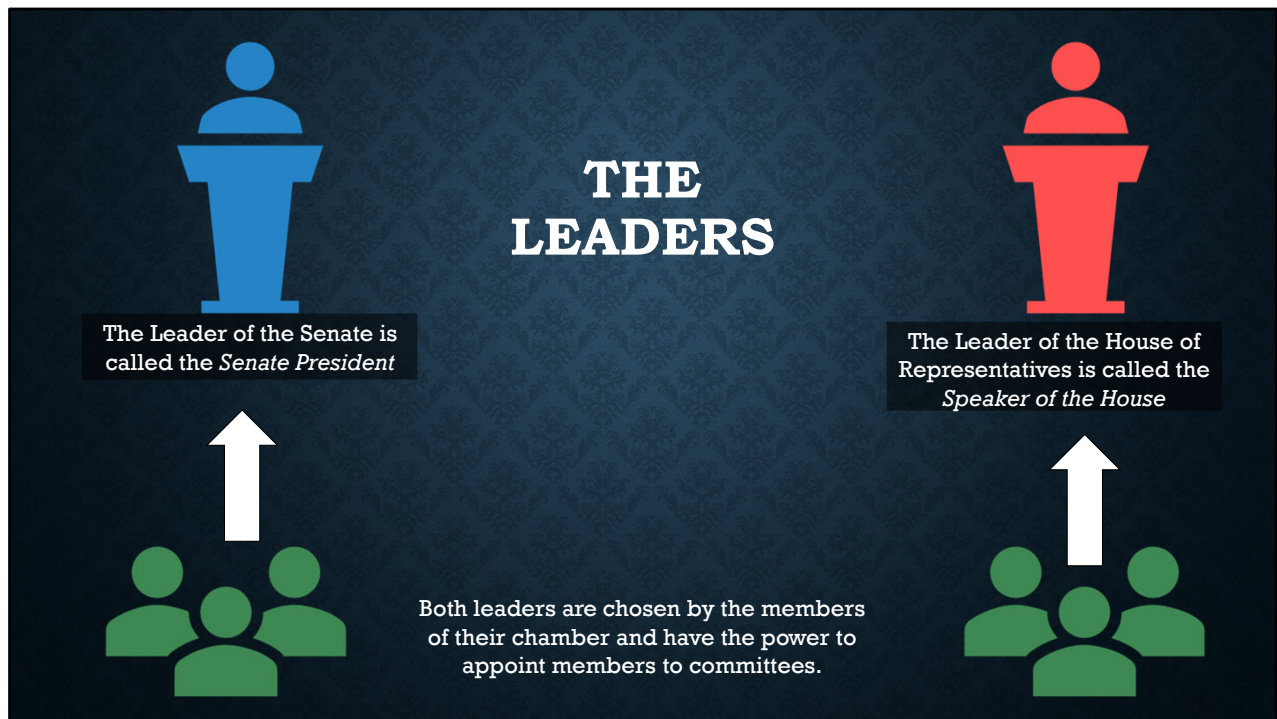
Our State's Constitution requires that there be 25 Senators and 51 Representatives in the Hawaii State Legislature.

Though the Senate and House serve the same function in creating laws, they're a little different. Senators are elected every 4 years and Representatives every 2 years. Senate districts are larger (each Senate district is the size of about two of the House districts). Each chamber has their own special powers, too. For example, the Senate has the power to confirm appointments made by the Governor or Chief Justice of the Supreme Court, and the House has the power to impeach the Governor.

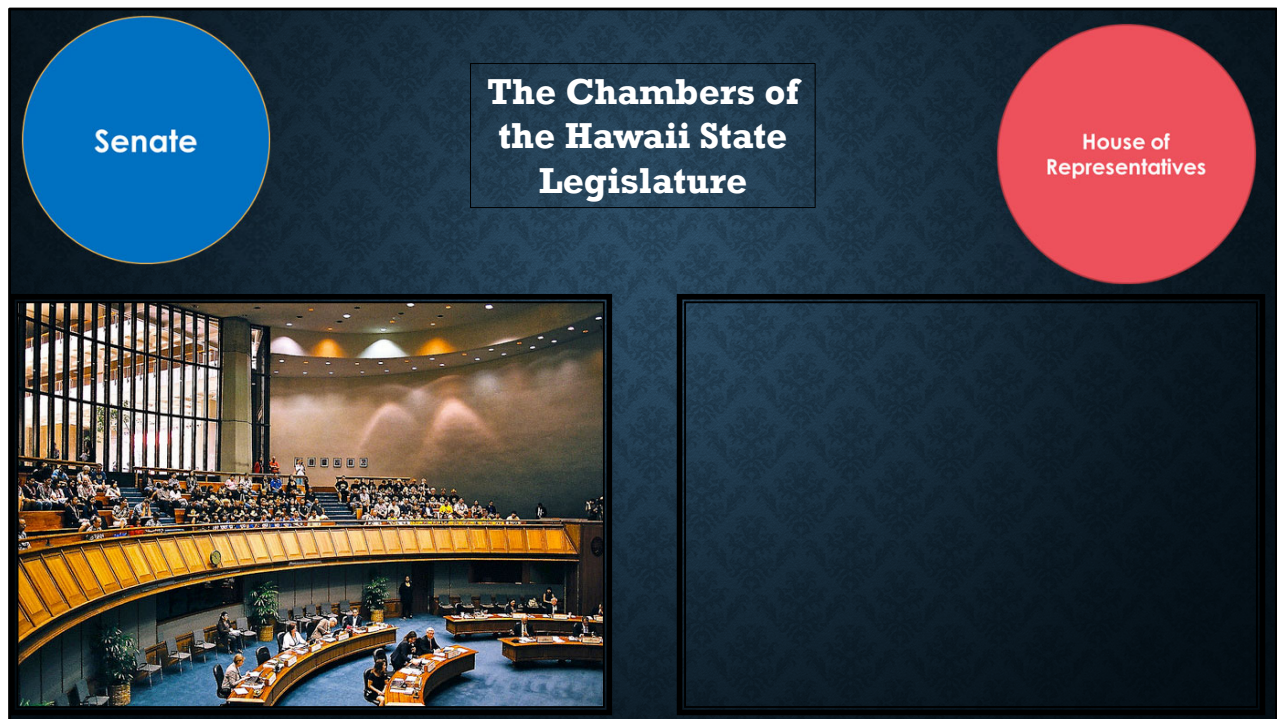
Hawaii's Legislature is considered "part-time" because the legislative session, the time when they're discussing what new laws there should be, lasts for only around 4 months every year. But the truth is, the legislators and their staff at the capitol are available year-round, even though the legislators may have other jobs. By the way, Hawaii's Legislature operates on a two-year ("biennial") schedule. Each new Legislature (we now have the Thirty-First Legislature in place) begins in an odd numbered year and ends in an even numbered year when they have elections and new members join the chambers. The significance of this system is that the Legislature can bring a bill that died the previous year back to life in the second year if they choose to do so.

Ever thought you might want to run for office (ask to be elected)? You don't need any special qualifications – you just need to have lived in Hawaii for 3 years, be 18 years of age or older, and live in the district you want to represent. The Office of Elections can provide you with more information.





The “Speaker of the House” is the leader of the House. (We usually just say “the House” rather than “the House of Representatives”. It’s shorter.) The leader of the Senate is the “Senate President.” Each leader is chosen by members of their own chamber, and leadership can change at any time. That means the leader needs to keep the members happy! Both leaders have a lot of power – for example, they can appoint members to committees within their chamber and decide who gets to be leaders in those committees. Both the House and Senate have rules about what all these jobs mean and what they can do.



The Senate Chamber is on the left, the House Chamber is on the right. Members of the public can look down on the action from the gallery.

Have you noticed that the term “chamber” can be used to describe both the House and Senate themselves and the official meeting hall where all the members meet?

# COMMITTEES

- Responsible for hearing and passing bills.
- Each Representative and Senator is usually in one or more committees.
- 34 Committees
  - House- 18 committees
  - Senate-16 committees



HUMAN SERVICES  
(HMS)



AGRICULTURE  
(AGR)



EDUCATION (EDU)



FINANCE (FIN)



TRANSPORTATION  
(TRN)



WATER AND LAND  
(WTL)

A standing “committee” is a group of legislators of the same chamber that are assigned to consider bills relating to a particular subject or issue, and to make a recommendation for action to the whole chamber (the 51 representatives or 25 senators, depending on which chamber we’re talking about). Members on Senate committees are appointed by the Senate President. House committee members are appointed by the House Speaker. The rules require minority representation (Republican members) on each committee. Each committee has a “chair” (leader) who has a lot of power over what happens in the committee.

After bills are introduced, they are referred to one or more of these committees for action, depending on the bills’ subject matter. The committees review, gather and evaluate information (and they read and listen to testimony from members of the public sharing their views), and recommend courses of action to the chamber. The House Speaker and Senate President create a calendar of deadlines by which bills must move past committees. If a bill misses a deadline, it will “die in committee”, which is the fate of most bills.

There are currently 18 committees in the House and 16 committees in the Senate.



# What is a Bill?

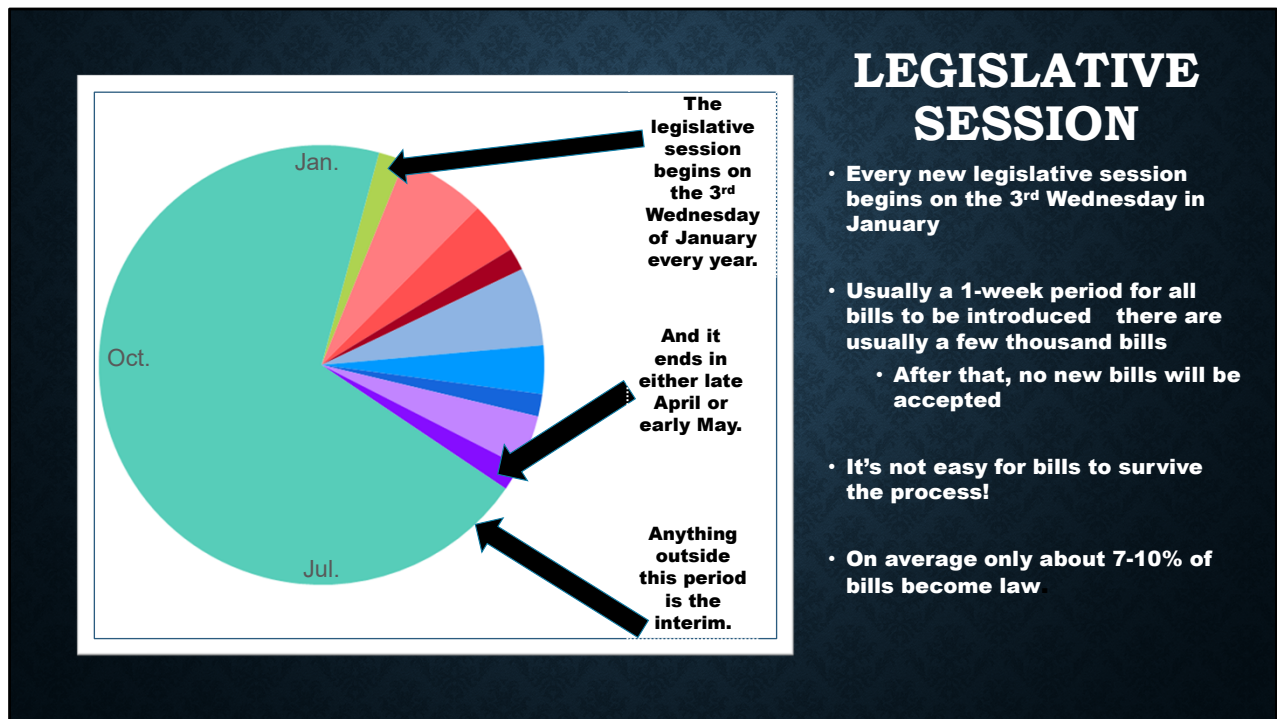
**Proposed legislation that can become  
a law if it is passed.**

A bill is a written proposal for a law. It becomes law if it is passed by the Legislature and signed into law by the Governor or allowed to become law without the Governor's signature (there's a date by which Governor must sign or "veto" the bill or it becomes law). If the Governor vetoes the bill (says "no, I don't want this to become law"), the bill will only become law if 2/3 of the House and 2/3 of the Senate vote to insist it become law. Once a bill becomes law, it is given an Act number... it's become an "Act of Law". In Hawaii, only about 1 in 10 bills become law.

## When Does All The Lawmaking Happen?



Now, about this business of making laws... When does all of that happen? When does the legislature meets to discuss what laws should be made?



This is what a calendar year looks like at the Hawaii State Capitol. The turquoise section represents most of our calendar year. We call it the “interim” or the period when the Legislature isn’t in session. This period is from late April or early May to the 3<sup>rd</sup> Wednesday in January.

Each new legislative session begins on the 3<sup>rd</sup> Wednesday in January and continues until late April or early May. The colored sections of the graph represent the dates between the deadlines within the legislative session. We put them in to remind everyone how quickly the session moves along. Deadlines come and go rather quickly, and if a bill misses a deadline it dies. It’s not easy for bills to become law.



# THE LEGISLATIVE CALENDAR

In late December or early January...

The Senate President and House Speaker will publish an official schedule of deadlines

**2021 SESSION CALENDAR**

NOTE: ON THE 88 SESSION DAYS (DAYS WHEN MEMBERS CONVENE IN THEIR RESPECTIVE CHAMBERS), THE SESSION DAY COUNT APPEARS IN A BOX ON THE LOWER RIGHT, LIKE THIS: [8]

Color code: ■ = bills ■ = resolutions ■ = budget or fiscal bills See reverse side for more deadline information.

SUN	MON	TUE	WED	THUR	FRID	SAT
<b>JANUARY</b>						
			20 Opening Day	21	22 Non-Admin Bill Package Cutoff	23
24	25 State-of-the-State Address & Administration Bill Package Cutoff	26 Recess #1	27 State-of-the-Judiciary Address & Bill Intro Cutoff	28 Recess #2	29	30
31	<b>FEBRUARY</b>					
	1	2	3	4	5	6
7	8	9	10	11 Triple Referral Filing (Bills)	12	13
14	15 HOLIDAY President's Day	16	17	18	19 First Lateral (Bills)	20
21	22	23	24	25 Mandatory 5-Day Recess Begins	26	27

**2021 SESSION CALENDAR: A GUIDE TO THE DEADLINES**

(Hawaii's constitution mandates that the regular legislative session starts at 10:00 a.m. on the third January.)

**INTRODUCE ALL NON-ADMINISTRATION BILL PACKAGES** - Bills bundled together by legislative caucuses (common and accepted and labeled as a package by the clerks. You can view the various packages of legislation by clicking on [and Lists](#) button on [capitol.hawaii.gov](#) and selecting the "Measures by Package" bar on the left.

**RE-STATE ADDRESS** - The Governor's annual address to the assembled joint legislature. The address presents an overview to report on affairs of state, and to put forth recommendations and initiatives.

**INTRODUCE ADMINISTRATION BILL PACKAGE** - This is what is known as the "Governor's Package." The bills are sent to branch agencies for consideration by the legislature and are introduced on behalf of the executive branch of the Senate and the Speaker of the House of Representatives. View the package of legislation by clicking on [Legis](#) button on [capitol.hawaii.gov](#) and selecting the "Measures by Package" bar. The administrative package will appear.

**RE-JUDICIARY ADDRESS** - The Chief Justice's biannual address to the assembled joint legislature.

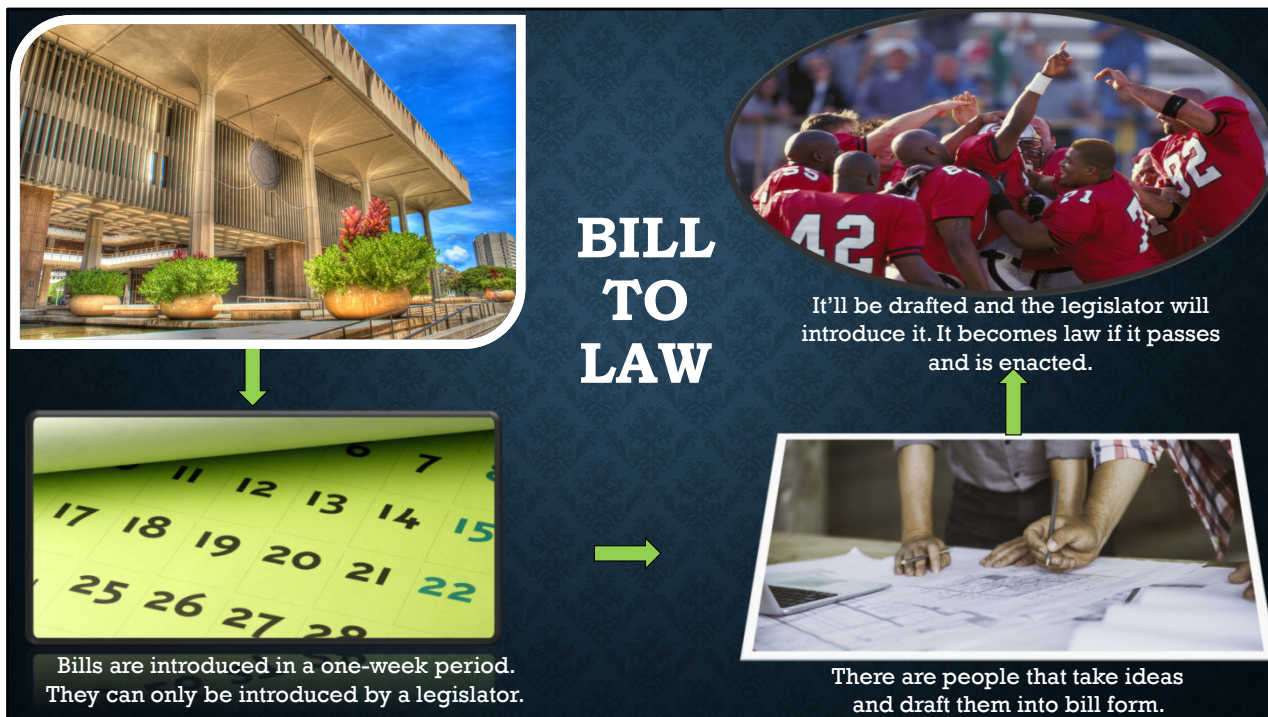
**INTRODUCE BILLS** - A bill is "introduced" when it has been filed with the House or Senate Clerk, who gives it a HB or SB prefix and then puts it on the calendar for First Reading by the chamber. After First Reading, it is given a number which specifies which committee must hear and pass the measure for it to succeed. Only legislators may enter. At introduction, each bill is given a "Bill Status" webpage that can be accessed via the Legislature's website ([bills](#)) and used to track all the measure's activity.

**TRIAL FILING (BILLS)** - All bills referred to three or more committees must be filed so that they can be in their committee by the following day. (Note: A referral to a joint committee counts as one committee referral.) This ample time for successful bills to make their way to the [joint](#) committee in their originating chamber by the First.

**FINAL (BILLS)** - All bills referred to more than one committee must move to their final committee in the originating day. (Note: Committees must file their committee report with the bill by the previous day.)

The 'Session Calendar' with the specific dates that will rule our lives during session is published prior to the beginning of a session – and usually not *much* before-hand. The calendar is established by the Senate President and the House Speaker, working together.

By the way, the Public Access Room takes that calendar and creates an annotated version that's color coded and has helpful definitions so you can sort out what the deadlines mean. You can find the most recent version on PAR's website (go to the "Current Legislature" page).



Approximately 2,500-3,000 bills are introduced each year (Senate and House combined). There is a narrow window when bills can be introduced, beginning with the first day of session and usually lasting about a week.

In our state, only legislators can introduce bills. So, if you have an idea that you think would make a good law, make sure to let your legislators know. They can send your idea to a drafting agency at the Capitol where researchers can take your idea and put it into bill form. If your bill is drafted and a legislator introduces it, it has a chance to become law.



These are all the things that must happen for a bill to become law:

1. It must be introduced by a legislator at the beginning of session.
2. It should be passed by every committee that it is referred to.
3. It must pass 3 votes in the Senate with all its members and 3 votes in the House with all its members.
4. The Senate and House must agree on the exact wording of the bill.
5. It must be signed by the Governor OR  
 allowed to become law without the Governor's signature (if the Governor takes no action on the bill by a certain date, the bill becomes law) OR  
 if the Governor vetoes the bill, the Senate and House must have at least 2/3 of their members in each chamber vote to "override" the veto.

This all must be done while sticking to strict legislative deadlines. You can add your voice by asking the chair of a committee to hold a public hearing on a bill you like. Then, if there is a hearing, add your view by offering written testimony, and maybe sign up to speak to the committee as well. You can also let your own legislators know how you would like them to vote on a bill when it is up for a vote in their chamber. Finally, you can let the Governor know your views and ask that a bill be signed (or vetoed).



# THE INTERIM

- From May to the 3<sup>rd</sup> week in January
- Legislators are researching ideas for the next session
- Easier to talk to your legislator and a good time to share your ideas
- Elections are held



The best time to talk legislators or their staff is in the interim. They are much more available than during session, when all that law making takes up so much time. This is when you can share ideas for bills or just let them know what is important to you. In even-numbered years, there are elections -- your legislator might be running for office. You can help them get re-elected or help someone else who is running for the seat. Someday, this might be you!

# GET INVOLVED WITH YOUR GOVERNMENT!



**CONTACT**




**PARTICIPATE**



**VOTE**

How can you get involved in the process? Well, there are a few things you can do:

- You can contact your own Senator and Representative to let them know what's important to you. If you have ideas on what laws need to be changed, let them know. Legislators represent everyone in their districts, including young people.
- During session, you can ask for committee hearings and offer testimony on bills that interest you.
- When you reach the voting age (18), you can vote for the people you want to be your senator and representative.
- Remember, you can join with other young people to make your voice stronger.



# **ELECTIONS REMEMBER TO VOTE!**

- Legislators are sworn in to serve the people.
- Legislators are voted in (and out) by the people in elections.
- Register to vote (you can pre-register at 16) so you can use your power in the elections.

As a citizen, you have the power to help elect a senator every four years and a representative every two years. Voting is a civic responsibility. Your vote is your voice – use it!



## **We're Here to Help!**

### **CONTACT INFO:**

- **In Person:** Hawaii State Capitol (415 S. Beretania Street), Room 401
- **Phone:** (808) 587-0478
- **Email:** [par@capitol.Hawaii.gov](mailto:par@capitol.Hawaii.gov)
- **Online:** <http://lrb.Hawaii.gov/par>

### **SOCIAL MEDIA:**

- **Facebook:** PublicAccessRoom
- **Twitter:** @Hawaii\_PAR
- **YouTube:** Hawaii Public Access Room

## **Public Access Room (PAR)**



If you take away one thing from this presentation, please remember that the Public Access Room (PAR) is your office at the capitol. Feel free to give us a call or shoot us an email if we can be of help.

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