

## FLOOR SESSIONS AND THE "ORDER OF THE DAY"

### Session Days

For a bill to become law in the state of Hawai'i, it should pass every committee it is referred to, but it also must pass 3 votes in the House and 3 votes in the Senate. These votes are taken on the floor of the House and Senate chambers where all the members convene. Per state constitutional requirements, the House and Senate meet to conduct business in their respective chambers no more than 60 times during a regular legislative session. These 60 days are "session days" and *do not* include weekends, holidays, or recess days. Typically, the Senate convenes floor session at 11:30 a.m. and the House convenes at 12:00 noon. These times are subject to change for Third and Final Reading days, the occasional joint session (when all members meet in the same chamber), and during the conference committee period, when both the House and Senate may choose to convene floor sessions at the same time.

**TIP:** To find out if a day is a session day, you can refer to the **Session Calendar**. Session days are indicated by a small box in the lower right-hand corner of the date box.

### Order of the Day

It's worth noting that there's an order to the business conducted in the House and Senate chamber each session day. The "Order of the Day" (O.D.) serves as an agenda to let the members know what's scheduled to take place. Both the House and Senate produce an O.D.



**TIP:** You can find House and Senate "Orders of the Day" by clicking the "Events" tab near the top of the Legislature's homepage at [capitol.hawaii.gov](http://capitol.hawaii.gov), then selecting "Order of the Day". O.D.'s are available only on days when the House and Senate are convening in chambers.

for each session day and post them online usually about an hour prior to the start of floor session. The Order of the Day for each chamber will differ slightly because the House and Senate do things a bit differently. The arrangements are specified in the House Rules and Senate Rules (specifically House Rule 30 and Senate Rule 39). At one time, the Order of the Day in each chamber began with an invocation as a formal part of the agenda, but now invocations in the House or "moments of contemplation" (as observed in the Senate) occur before the House Speaker or Senate President gavels the floor session to order. Presence by members in chamber during this time is entirely voluntary.

### Presiding Members and Protocol



The House Speaker and Senate President are elected to their positions by the members of their chambers. Part of their duty is to preside over the floor session to maintain order and decorum. They ensure that the order of business, decision-making, discussion, and debate are conducted and managed in compliance with our state's Constitution and House and Senate rules. In addition, they may call on Mason's Manual of Legislative Procedure for questions not addressed by the previous sources. On occasion, the House Vice Speaker and Senate Vice President may be asked to preside over the session in their respective chambers.

Procedures are followed to maintain orderly debate and decision-making. Motions are made and seconded. Members may rise to speak on matters pending before the chamber, but they must be recognized by the presiding officer. The rules limit the number of times that members may speak on a matter as well as the length of time they're allowed in doing so. Members are expected to rise and ask for a ruling on any possible conflict of interest. It's common for a member to rise to request permission to insert written comments into the journal or adopt another member's comments as their own. The rules specify that when referencing other members while addressing the presiding officer during a floor session, the member speaking should refer to other members by district, or the area they represent, instead of addressing them by name or political party. Rules also specify that any debate be limited to the legislative measure being discussed.

## What Happens On The Floor?

Floor sessions begin with a roll call of the members to record who is present. House and Senate rules require members to be present during floor sessions unless they are excused by the House Speaker or Senate President or are unable to attend due to illness. Routine items, such as a reading or approval of the journal, messages from the Governor, departmental communications and/or communications from the other chamber, recognitions, and honorary floor presentations are addressed first. Action items are taken up next. For this portion of the O.D., motions are made and seconded to initiate actions suggested by the agenda, which can include the introduction of bills and resolutions, adopting committee reports and resolutions, referring measures to committee, passing a bill, or confirming a gubernatorial or judicial appointment (Senate power). Miscellaneous business and announcements usually wrap up the floor session before it is recessed until the next scheduled session.



## Voting

Both chambers provide five ways in which members can vote on agenda items: by voice; by raising of hands; by rising; by roll call of the members; and by unanimous consent. The method of voting is specified by the presiding officer before the vote. All members are required to vote unless they are excused by absence. Members may also be excused from voting if the presiding officer determines that a conflict of interest exists between the member and the legislation being considered. Members may vote "aye," which is an affirmative vote, "aye with reservations," which is a yes vote but with concerns, or "no." Members may also vote "kanalua" when the clerk calls their name on a roll call vote. This is a deferment of voting for the time being. In this case, the clerk recording the votes will come back to the member after the other members have been called to vote. If the member continues to vote "kanalua" (twice on a measure in the Senate, three times in the House) rather than voting "aye" or "no," their vote will end up being counted as a yes vote.

## Staff Present

Aside from the Representatives and Senators, there are many members of legislative support agencies present during floor sessions. Seated immediately in front of the presiding officer's podium are the Chief Clerk of the House or Senate and his or her aides. In addition to administration of the proceedings, they are charged with record keeping (roll call, votes, the journal) and communications to and from the chamber. The House and Senate Sergeants-at-Arms and their assistants may appear at various positions on the floor and in the gallery. They maintain safety, order, and decorum, and escort any guests on and off the floor. House and Senate Communications personnel and staff from the House and Senate Majority and Minority staff offices, and the Legislative Reference Bureau, may also be present during floor sessions.

## Keeping Track Of it all

While the public does not participate in the discussions being held on the chamber floor, they can observe the proceedings by entering the street-level galleries of the House and Senate. The Session Calendar can help identify when the House and Senate are scheduled to convene floor sessions (session days are noted in small, numbered blocks on the calendar.) The start times for House and Senate floor sessions are also listed near the bottom of the Legislature's homepage under "Session Info".

Watching floor sessions in person is not the only way to follow the action. Sessions and floor proceedings are now routinely captured in video format. They can be observed "live" or after the fact by visiting the House or Senate YouTube pages.

**TIP:** To find live or recorded videos of House or Senate floor sessions, click on the "Events" tab, then select "Live and On-Demand Video" from the drop-down menu on the Legislature's homepage at [capitol.hawaii.gov](http://capitol.hawaii.gov). Then, select the YouTube channel for the appropriate chamber.

Finally, the House and Senate publish journals, which capture all the action on the House and Senate floor, including comments made by the members. House and Senate journals can be viewed on the Legislature's website ([capitol.hawaii.gov](http://capitol.hawaii.gov)) by going to the House or Senate pages, scrolling down to the "Journal" section, and selecting the appropriate year. The journals are published annually in large volumes, and hard copies are available for viewing in the Legislative Reference Bureau Library (Room 005) in the chamber level of the State Capitol. The Public Access Room also has journals of the most recent years.