

PRE-SESSION FILING  
AND  
RELATED LEGISLATIVE PROCEDURES

by

Takaaki Izumi  
Research Assistant

Request No. 7405  
January, 1960

Kenneth K. Lau, Acting Director  
Legislative Reference Bureau  
University of Hawaii  
Honolulu, Hawaii

## SUMMARY

The increasing volume of measures introduced in state legislatures, including Hawaii's has created a wide-spread problem of legislative congestion, especially in the closing days of the sessions. There are many reasons for the increased volume of bills introduced; one practice which seems to burden the legislative process without producing any benefits is the introduction of duplicate measures and "rejacketed" bills which have no likelihood of passage at a current session.

Much experimentation has been done by state legislatures in attempting to cope with the problem. One such experiment is the pre-session filing of bills. Currently, 11 states are reported to have this device. However, the experiences of these states indicate that pre-filing by itself cannot alleviate legislative congestion. Rather, the only basic solution appears to lie in reducing the number of measures introduced by the exercise of discretion and sound judgment on the part of individual legislators. Pre-filing, however, makes it possible to set a deadline for bill introduction earlier in the session, which would allow more time for committee work and final consideration of measures without curtailing the over-all bill introduction period. An early cut-off date is probably the simplest and yet most effective way to improve the working conditions of the legislature.

In Hawaii, the House of Representatives plans to experiment with the pre-session filing of bills in advance of the 1960 Budget Session; bills may be filed with the Clerk of the House within two weeks of the opening of the session.

Other procedural devices which relate to the objectives sought by pre-filing are also considered in this study: (1) the holding of pre-session meetings either in the form of a conference or committee meetings which would extend the effective or working length of the legislative session; (2) the use of special calendars to facilitate the handling of bills on the floor; and (3) the holding of joint hearings and meetings by comparable standing committees in each house. These are means to accelerate the processing of legislative measures within the time-limits imposed on the length of legislative sessions and yet enable the passage of legislation in both sufficient quantity and quality to meet the needs of the state. In the final analysis, however, they are only procedural devices and their success depends almost entirely on wholehearted acceptance of their underlying purposes.

## TABLE OF CONTENTS

	<u>Page No.</u>
Summary . . . . .	i
House Resolution No. 124 . . . . .	iii
Introduction . . . . .	1
Pre-Session Meetings . . . . .	4
Pre-Session Filing of Bills . . . . .	6
Earlier Deadline for Bill Introduction . . . . .	16
Volume and Duplication of Bills . . . . .	17
Roll Calls and Special Calendars . . . . .	22
Joint Committees and Joint Meetings . . . . .	26

### Tables

1	Bills and Joint Resolutions Introduced in Regular Sessions of the Hawaii Legislature . . . . .	30
2	States Ranked by Number of Measures Introduced, Enacted, and Per Cent of Measures Enacted: 1957 Regular Session . . . . .	31
3	States Providing for Pre-Session Filing of Bills . . . . .	33
4	Time of Introduction of Bills and Joint Resolutions in Hawaii, 1955, 1957 and 1959 Regular Sessions . . . . .	34
5	Survey of Measures Introduced in House of Representatives - 30th Territorial Legislature, 1959 . . . . .	35
6	Survey of Measures Introduced in Senate, 30th Territorial Legislature, 1959 . . . . .	37
7	Number of Standing Committees in State Legislatures, 1957 . . . . .	38

HOUSE RESOLUTION NO. 124

WHEREAS, the Legislature of the State of New York employs a procedure which permits the filing of bills prior to the opening of the legislative session; and

WHEREAS, the use of this procedure has become increasingly used by members of that body; and

WHEREAS, it seems likely that such a procedure, if adopted by the Legislature of the State of Hawaii, would increase the effectiveness and efficiency of that body; now, therefore,

BE IT RESOLVED by the House of Representatives of the Thirtieth Legislature that the Legislative Reference Bureau be requested to make a study of this procedure, its advantages and disadvantages, and make a report on the same to the House of Representatives of the First Legislature of the State of Hawaii.

ADOPTED: March 30, 1959

PRE-SESSION FILING  
AND  
RELATED LEGISLATIVE PROCEDURES

INTRODUCTION

In 1955, the General Assembly of Connecticut was overwhelmed by the introduction of 3,500 bills. The legislative machinery collapsed in the closing hours of the session and the Assembly failed to complete its business before the constitutional adjournment date.<sup>1</sup> Although the increasing number of bills in many of the state legislatures has been noted by commentators, it seems that legislators themselves have only recently become alarmed with the potential hinderance which voluminous bill introductions may engender. This problem of volume is evidently widespread and practically every state legislature has tried to cope with it.

In Hawaii, although there were some fluctuations in the number of bills introduced from session to session, there is a discernible upward trend (see Table 1); the number of measures introduced in both houses during the 1959 Regular Session came to 3,454, more than three times as many as the 1945 Regular Session and about 1,000 bills and joint resolutions more than the 1957 Regular Session. This number does not include the scores of amendments to measures, some of which required much deliberation and time.

Part of this increased volume is a result of expanded governmental activity in more fields of endeavor, Hawaii's centralized structure of government which brings before its legislature essentially local matters which in most states would appear upon the agendas of municipal and county boards, and the recently enlarged membership of the legislature. These may be seen as the more "legitimate" reasons for the

---

<sup>1</sup>Connecticut State Journal, XXIII-7 (Windsor, Connecticut: July, 1955), p. 1.

increase. However, the legislative mill was also swelled by many duplicate measures and bills which were introduced despite a lack of likelihood of passage.

The heavy legislative burden caused by the growing number of bills is partly reflected in the calendar jam and mass "killing" of bills at the end of the session. For instance, in the 1957 Regular Session, both houses "killed" 666 bills and joint resolutions in several massive moves on the 59th and 60th days of the 63-day session and 2,764 bills and joint resolutions met a similar fate in the last two legislative days of the 1959 Regular Session.<sup>2</sup> There may be sound reasons for keeping bills "alive" until the end of the session but it appears that many of the measures died for lack of consideration.

In 1957, Hawaii ranked eighth among the state legislatures in the number of measures introduced with 2,413. Only 371 of these were enacted for a percentage of 15.4 per cent or 49th among the states when ranked according to the percentage of enactments (see Table 2). Although figures for 1959 are not available from other jurisdictions, Hawaii's legislature enacted less than nine per cent of the measures introduced during the 1959 Regular Session. At this moment, Hawaii may be the state with the lowest percentage of measures enacted. This low percentage is not necessarily a measure of the quality of work being accomplished by the legislature. All that it indicates is that the legislative process may have been needlessly overburdened by the large number of bills.

As in most jurisdictions, legislative sessions in Hawaii start with comparative inactivity, progress with increasing tempo and close in a flurry of hectic and, sometimes, hasty action. The work congestion creates a hardship on legislators and staff members and has resulted in marathon meetings, stopping the clock and extended

---

<sup>2</sup>Legislative Reference Bureau, Final Status Table of Bills and Resolutions, 29th and 30th Legislatures (Honolulu: 1957, 1959).

sessions. This late session atmosphere is not conducive to calm deliberation or thorough consideration of proposals, both of which are features desirable in any legislative process. The work of the legislature should be more evenly distributed throughout the session.

It appears that the problem of late-session congestion is two-fold in nature: the first aspect is the overwhelming volume of measures which threatens to swamp the legislative process and the other is the element of timing or work distribution. In attempting to cope with these conditions, several state legislatures have adopted the pre-session filing of bills, popularly referred to as "pre-filing." The experiences of the several states with pre-filing indicate that pre-filing, by itself, cannot resolve the above described difficulties in any appreciable manner.

The House of Representatives of the Thirtieth Legislature, 1959 requested a feasibility study for the adoption of pre-filing by the Hawaii legislature.<sup>3</sup> Any serious study of pre-filing necessitates its extension into other pertinent and related areas involving the legislative process--the pre-session conference, the imposition of an earlier deadline for bill introductions, the problems of duplicate introductions, roll calls, special calendars and joint hearings by committees. All are believed to be consistent with the objectives sought by pre-filing. Although the most direct means of extending the time available for consideration and enactment of the legislative program is to establish more frequent or longer sessions, it is not considered in this study since the Hawaii State Constitution already provides for annual sessions.

---

<sup>3</sup>House Resolution No. 124, House of Representatives, 30th Territorial Legislature.

#### PRE-SESSION MEETINGS<sup>4</sup>

The effective or working length of a legislative session can be extended by the holding of pre-session meetings. Such meetings can serve two important purposes:

- (1) to orient new members concerning legislative organization and procedures and
- (2) to acquaint the entire membership with the major fiscal and substantive issues they will face when the session officially convenes.

Hawaii has used informal pre-session meetings for the latter purpose at least since 1951. Caucuses of the majority party, on occasion in company with minority members, have met a few days before the legislature convenes in order to consider the dimensions and major components of the territorial budget.

In January 1959, just prior to the Regular Session, a three-day pre-legislative conference was held under the joint sponsorship of the University of Hawaii and the Tax Foundation of Hawaii, financed through grants obtained from the Ford Foundation and several local foundations. More than 200 persons, including all 76 legislators, participated. It was the first time that such a conference had been conducted on a non-partisan basis. There were six major areas of discussion: (1) legislative organization and procedures; (2) economic development; (3) government efficiency; (4) public education; (5) land use; and (6) public finance. There was a friendly co-mingling and exchange of ideas between legislators and other conferees. Participants were able to draw from the top-flight talent among the speakers and panelists to enrich their own resources and knowledge.

In the long run, it may be profitable to regularize formally the pre-session conference to be held biennially just prior to the convening of the general session.

---

<sup>4</sup>A large portion is taken from the Proceedings of the Hawaii Pre-Legislative Conference (Honolulu: 1959), pp. 5-6.

A practical consideration for the institutionalization of a pre-session conference would be its cost. For the 1959 pre-session conference, total costs came to almost \$16,000.<sup>5</sup> This, however, includes the cost of transportation and honorariums for mainland speakers and panelists as well as transportation and housing for neighbor island legislators and at least one meal per day for every one in attendance. A pre-session conference can be modest or elaborate, depending on where and how it is held. For instance, a less expensive conference can be held on state owned property, such as the university, with local speakers and panelists. Exactly what kind of a conference would best serve the needs of the legislators would have to be decided by each legislature according to the kinds of problems which it anticipates.

Preceding the 1959 Regular Session, some of the standing committees in the House of Representatives held public hearings on proposed legislation. This was probably one of the few times that such pre-session hearings were held. One shortcoming which was demonstrated by later developments is that there is no assurance that the temporary pre-session membership on these committees will be the same after the session convenes. At any rate, the spirit in which these hearings were held demonstrated that some of the legislative committees were aware of the need to get an early start.

Pre-session meetings, whether in the form of a caucus, committee hearing or a conference, are helpful, provided that they relate to problems which will be considered sometime during the session.

---

<sup>5</sup>Hawaii Pre-Legislative Conference, Princess Kaiulani Hotel Meeting House, January 14, 15, 16, 1959, Final Financial Report (mimeo - July 1, 1959).

## PRE-SESSION FILING OF BILLS

In at least 11 state legislatures, some measure of pre-filing is authorized either by statute, legislative rule or informal arrangement (see Table 3).

Although the mechanics may vary somewhat in different jurisdictions, pre-filing is essentially the depositing of bills prior to the opening of the legislature with some designated person or office authorized to number and print the bills. The bills are officially introduced when the legislature subsequently convenes.

The clerical procedures involving the introduction of bills are usually regarded as routine but should not be neglected since the speed with which bills are processed becomes important during the peak periods of legislative activity. The timing of bill introduction is also important because of the effects it may have on legislative committee work-loads.

Although the session years and length of sessions differ, New York, prior to its initiation of pre-filing, and Kentucky, for instance, displayed marked correlation on the timing of bill introductions. In both states, the peak of bill introductions came well after the session had convened.<sup>6</sup> This tendency toward the late introduction of bills appears to be duplicated by most of the states having sixty-day legislative sessions. There seems to be a significant time-lapse before committees are assigned enough bills to warrant the holding of hearings. Hence, during the early weeks of the session, legislators have been accused of idleness. Thus, to get enough bills introduced early in the session so that the committees can commence working with the least delay is one of the major reasons for initiating pre-filing.

---

<sup>6</sup>State of New York, Joint Legislative Committee on Legislative Practices and Procedures, Interim Report, Legislative Document No. 14 (1958), p. 30; and Kentucky Legislative Research Commission, Legislative Process in Kentucky (December 1955), p. 100.

Massachusetts is the only state which mandates the pre-filing of all petitions (bills) with only a few exceptions. All measures not filed with the clerk of either branch by the first Wednesday of December preceding the annual session of the General Court (legislature) are referred to the next session. This rule has been cited as being necessary since the Massachusetts state constitution provides for the right of free petition which allows the submission of measures to the legislature upon the signature of just ten voters, a factor which swells the number of bills introduced.<sup>7</sup> All bills are numbered, printed and given a committee reference by the permanent clerks of the respective houses but are not entered in the legislative journals until the first week of the session.<sup>8</sup>

Connecticut is a state exemplifying the permissive type of pre-filing. Any legislator-elect may deposit bills with the clerk to be numbered and printed in advance.<sup>9</sup>

Pre-filing in Massachusetts, Michigan, New York and North Dakota appears to have produced favorable results. The device reportedly has eliminated much of the concentrated work-load of printing and processing bills at the outset of the session, and, to some extent, it has allowed earlier consideration of measures by committees. New York, especially, attributes the increased number of enactments by the 1958 session to pre-filing. However, these jurisdictions generally believe that more use should be made of the device.<sup>10</sup>

---

<sup>7</sup>State of Massachusetts, Constitution and letter dated April 28, 1959, from the Legislative Research Bureau, Commonwealth of Massachusetts.

<sup>8</sup>Manual for the General Court 1957-1958, Joint Rule 13 (Boston: 1957), p. 625.

<sup>9</sup>General Statutes of Connecticut 1958 Revision, Section 2-17, pp. 85-86.

<sup>10</sup>Letters received from the following agencies: Legislative Research Bureau, Legislative Research Council, Commonwealth of Massachusetts, dated April 28, 1959; Legislative Service Bureau, State of Michigan, dated June 24, 1959; Secretary of the Senate, State of New York, dated May 27, 1959; Legislative Research Committee, State of North Dakota, dated May 6, 1959.

The states of Connecticut, Louisiana, Maine, New Hampshire and Wisconsin have experienced less success, primarily because of the lack of participation by legislators.<sup>11</sup>

Nebraska, after a short trial about three sessions ago, discontinued pre-filing. It is the only state known to have done so. Alaska and Oklahoma just adopted the device in 1959, and their experiences are not yet known.<sup>12</sup>

In summarizing the experiences of other jurisdictions, it appears that favorable results have been achieved when pre-filing has been given an adequate trial period and has been accompanied by other procedural reforms. In the final analysis, however, the success of pre-filing depends almost entirely on its acceptance and usage.

In Hawaii, unlike other states, the rate of bill introductions appears to be comparatively constant (see Table 4) and the percentage of introductions during the first ten days of the session is probably the highest in the nation, with the exception of Louisiana whose constitution confines the introduction of bills to the first 21 days of the session. During the three regular sessions of 1955, 1957 and 1959, first-day introductions came to an average of 13 per cent of all bills and joint resolutions introduced during these sessions.<sup>13</sup> This indicates that legislators

---

<sup>11</sup>Letters from the following agencies: Legislative Council, State of Connecticut, dated April 27, 1959; Louisiana Legislative Council, State of Louisiana, April 28, 1959; Legislative Reference Librarian, Maine State Library, dated May 4, 1959; Law Librarian, New Hampshire State Library, dated June 19, 1959; Legislative Reference Bureau, State of Vermont, dated May 13, 1959; and Legislative Reference Library, State of Wisconsin, dated April 24, 1959.

<sup>12</sup>Legislative Council, State of Nebraska, letter dated April 27, 1959. Also Council of State Governments, Legislative Research Checklist (Sept., 1959), pp. 1, 6.

<sup>13</sup>Compiled from Final Status Tables, 1955, 1957, 1959, Legislative Reference Bureau, University of Hawaii.

had prepared many bills which could have been pre-filed. Despite the number of bills on hand so early in the session, there appears to be some time-lapse before committees jell their agendas and seriously begin working. Many of the bills are reported out only after the cut-off date, which has traditionally been around the 40th to 45th legislative day. This delay in commencing committee work was not caused by printing difficulties as bills were available, in most cases, a day or two following introduction.

For the same sessions, approximately 12 per cent of all bills and joint resolutions were introduced on the cut-off dates.<sup>14</sup> Even with pre-filing, this rush of bill introductions at the cut-off date will probably remain. In viewing the problem prior to the adoption of mandatory pre-filing (which means no bills are introduced during the session), the Massachusetts Special Commission on Legislative Systems and Procedures bluntly stated:

It is the opinion of this commission--and there was not a single iota of evidence adduced to the contrary--that those members who really have legislation to sponsor, file it either before the session begins or within a few days thereafter, with rare exceptions. However, there are many members who were not elected on any issue which would call for legislative proposals, but who, nevertheless, felt that it is a good political strategy to make some kind of showing in this arena so that they could later say that they introduced this or that bit of legislation, or that they introduced so many and so many bills, and that they should go back and finish the fight.

These members, in most cases, either go to the files, take therefrom some old bills that sound good and substitute their names for those of the earlier petitioners, and file it over again; or, learning from their colleagues that certain legislation is being introduced, they in turn introduce similar or identical proposals under their own names. Of course, such members do not get around to learn who is introducing what bills until some few days have elapsed; hence ... there is an avalanche the last two or three days.<sup>15</sup>

---

<sup>14</sup>Ibid.

<sup>15</sup>Report of the Special Commission on Legislative Systems and Procedures, Massachusetts General Courts, Senate Document No. 50 (January 1, 1943), p. 18.

As the above excerpt from Massachusetts indicates, a basic solution to the problem involves the exercise of restraint and sound judgment on the part of legislators.

Pre-filing may make it easier for the "copying" of another legislator's ideas since it is likely that a pre-filed bill representing an original or meritorious proposal would receive news coverage. In the long run, however, such publicity may serve to give credit to the original introducer and may discourage the subsequent introduction of duplicate measures. Pre-filing may also publicize unpopular bills, thus discouraging the introduction of such measures. However, if a pre-filed bill, although unpopular, has merit or is a necessary piece of legislation, its early exposure to the public will leave enough time for a public education program which may overcome adverse opinion by the time the session starts.

Pre-filing allows an earlier cut-off date without shortening the overall bill introduction period. This will leave more time during the session for committee work and should result in a better checking of the final legislative product.

On the other hand, it has been suggested that the log-jam at the close of the session is caused primarily because of the tendency to delay money or finance bills until the passage of the general appropriations act which is usually passed late in the session. Although a cursory review of bills passed on the last day of the 1959 Regular Session reveals a good mixture of both money and non-money bills, the state constitution mandates that, unless otherwise requested by the Governor, all finance bills hereafter be withheld from passage until the general appropriations act has been delivered to the chief executive.<sup>16</sup> However, regardless of the effects this provision may have on the legislative process, an early cut-off date will result in more time to study the budget as well as all other measures.

---

<sup>16</sup>Legislative Reference Bureau, Final Status Table of Bills and Resolutions, 30th Legislature (1959); Article III, Section 5, Constitution of the State of Hawaii.

So far, the discussion has been on what pre-filing has accomplished in other states and how it may benefit Hawaii's legislature. However, there are a few practical problems which are applicable to Hawaii if pre-filing is to be adopted:

1. Receiver of Pre-filed Bills. One of the first considerations would be to designate the receiver of pre-filed bills. In states with pre-filing, bills are usually deposited with the clerks of the respective houses. In Louisiana, the Legislative Council is the receiving agency. In Hawaii, there is no legislative council, although legislation for its creation has been introduced in several recent sessions.<sup>17</sup> The appointment of the respective clerks is based on partisan political considerations; because of this there are times when the legislative staff may not be organized sufficiently in advance of the session to permit pre-filing. Another method would be to appoint a permanent legislative clerk (as distinguished from the chief clerks of the House of Representatives and the Senate) and a small clerical staff to maintain housekeeping duties while the legislature is not in session and also to receive pre-filed bills. A third alternative is to authorize the Legislative Reference Bureau to receive and number pre-filed bills. The bills would be transferred to the clerks of the respective houses as soon as they organize. There are other alternatives but the main factor is that an office to receive the pre-filed bills must be designated or established.

2. Numbering of Pre-filed Bills. An explicit rule that pre-filed bills are to be numbered in the order in which they are received is highly desirable; otherwise legislators will be reluctant to pre-file a bill for fear that it

---

<sup>17</sup>See especially H.B. 140, First Special Session 1959, First State Legislature of Hawaii.

may be "stolen." Such a rule would preclude the selective numbering of party or other bills for easy identification as was done in recent sessions (e.g., majority party bills were numbered 1-20 in the Thirtieth Legislature and major reorganization and transitional bills were numbered 1-33 during the First Special Session of 1959). This is a relatively minor disadvantage when compared with the benefits which a pre-filing program may engender, since it would not be too difficult for interested persons to identify party, administration or other types of bills. In most instances, legislators, administrators and lobbyists already know the sources or sponsorship of major legislation regardless of the bill numbers assigned. What may prove to be bothersome, from the viewpoint of the majority party, is the early pre-filing of bills by minority party members which are substantially the same as those being projected by the majority party program. On the other hand, it can be said that no individual or political party has a monopoly on ideas or proposed legislation. Once the session starts, however, the majority has the prerogative of acting first on its bills or those introduced by its members.

3. Printing. As indicated earlier in this report, Hawaii has been fortunate during recent sessions in that printing was not a cause of delay despite the large number of bills introduced. Printed bills were usually available to legislators and the staff members within one or two days after introduction. This was possible because the printing committees worked on a 24-hour-per-day schedule during the busy period early in the session and only about 150 copies of each bill--enough working copies for legislators and staff members--were printed. As time permitted, usually about a week later, additional copies of the same bills were printed for general distribution. During the 30th Territorial Legislative Session of 1959, it took approximately one week to ten

days to catch up on the printing following the convening of the session. The printing committees were also on hand to print legislative material on very short notice at all hours of the day. Often when time is crucial, the availability of fast printing services is of the essence. Many of the employees of the printing committees were experienced hands from previous sessions. It is highly improbable that the legislature will continue to receive such efficient services if inexperienced employees are hired for the printing committees.

An alternative is to place the printing of legislative material under contract to a private firm. The printed material would probably be neater in appearance but such a change would be justified only if it means the continuance of prompt services without increase in costs. The printing costs for the Twenty-ninth Territorial Legislature, 1957 Regular Session, excluding the printing of journals, is estimated at approximately \$80,000.<sup>18</sup> Although similar figures are not presently available, it is estimated that comparable costs for the 1959 Session of the Thirtieth Territorial Legislature is roughly \$100,000, owing to the increase in printed materials and pay raises for employees. Whether printing can be done more inexpensively under contract to a private firm without losing the advantages of the present system, would be a worthwhile area for legislative investigation.

4. Screening and Printing of Bills. The practice of weeding out extraneous or duplicate bills by screening committees prior to their printing was practiced in both houses in the First Special Session in 1959 of the First State Legislature. This was not without precedent as the Senate of the

---

<sup>18</sup>Computed from the final reports of the Accounts Committees of each house, House and Senate Journals, 29th Territorial Legislature, 1957.

Twenty-seventh Legislature, 1954 Special Session, utilized a screening committee.<sup>19</sup> The operation of the screening committees undoubtedly resulted in some savings since duplicate or extraneous bills were neither printed nor allowed to burden the legislative process. It also is obvious that the screening committees cannot operate until after the session starts. Thus, the maximum benefits obtainable from the operation of the screening committees and the pre-session printing of pre-filed bills are mutually incompatible. A reasonable compromise may be to print all pre-filed bills in limited quantity-- enough for legislators and staff members but not for general distribution-- and subsequently to print additional copies of only those bills reported out by the screening committee for full distribution. In this way, legislators will be able to have copies of all pre-filed measures and printing costs may be kept at a reasonable level. Once the legislature convenes, it can choose to maintain this procedure or forego completely additional printing of those bills not reported out by the screening committees.

5. Co-sponsorship of Bills. In Hawaii, there is a general laxness in the co-signing of bills for introduction due in part to the absence of any restriction on bill sponsorship. In the United States House of Representatives, co-sponsorship is prohibited.<sup>20</sup> The Washington State Senate restricts co-sponsoring to two members per bill. However, such curbs may encourage the use of duplicate bills. A more desirable solution is the recognition of the problem by the legislators and the exercise of voluntary restraint. The Kansas

---

<sup>19</sup>Hawaii Legislature, Senate Journal, 1953 Regular Session and 1954 Special Session, 27th Legislature, Territory of Hawaii.

<sup>20</sup>U.S. House of Representatives, Rule 22, No. 4.

legislature has a rule which requires that a member shall introduce only such bills as he is willing to endorse and support personally.<sup>21</sup> Although this may be a difficult rule to enforce, such an explicit statement of legislative policy may act as a deterrent to lax sponsorship.

If pre-filing is accompanied by pre-session printing, co-sponsorship will be limited to the extent that not all of the legislators' signatures will appear on the printed copies of the bills. However, there is nothing to prevent legislators from co-sponsoring measures after the session starts, since the journals are not printed until the end of the session. In other words, although the printed copies of pre-filed bills will show only the signature of the principal sponsor, the journals which are the official records of the legislature will reflect all the co-sponsors of each measure. After the signatures of all sponsors are entered on the original copy of the measure, anyone desiring to determine the complete list of sponsors may do so by checking with the records clerk of the respective houses. For measures introduced after the session starts, co-sponsorship does not cause a procedural problem.

6. Pre-filing Is in Effect Introduction. Another advantage of pre-filing is to have public discussion before the session begins. Interested parties will have more time to prepare for upcoming hearings. Apparently, however, there has been some confusion on the status of a pre-filed bill since in most jurisdictions it is not formally introduced until the session officially convenes. In order to avoid confusion, it is desirable to stipulate that a bill

---

<sup>21</sup>Hawaii's legislators may introduce a bill "by request." This absolves the introducer from responsibility for the measure.

become the property of the legislature upon pre-filing, and for all practical purposes, it is the same as an introduction. It should also be understood that a pre-filed bill is not confidential and will be subject to public scrutiny.

#### EARLIER DEADLINE FOR BILL INTRODUCTION

The concept of setting a time limit for bill introductions has been readily accepted as most states accomplish this either by a constitutional provision, statute, joint or single house rule, or as in the case of Hawaii by resolution.<sup>22</sup> In Hawaii, the deadline customarily has been set at about the 40th or 45th legislative day of the regular 60-day session. The deadline usually brings a rush of filings and intensifies the work load for staff and committees alike. Furthermore, committees appear reluctant to firmly fix their agendas until these last-minute measures are assimilated into their work programs.

The establishment of pre-filing guarantees neither the elimination of the rush at the deadline nor a reduction in the total volume of legislation introduced during the session. However, an adequate pre-filing period makes it feasible to move up the cut-off date--perhaps as early as the 15th or 20th legislative day<sup>23</sup>--without curtailing the overall bill introduction period. This will leave considerably more time in which to complete the crucial committee work and the final passage of measures.

---

<sup>22</sup>Only 11 states do not have limitations of some sort. Council of State Governments, Book of the States 1958-1959, pp. 44, 45.

<sup>23</sup>A still earlier cut-off date does not appear to be feasible since the legislature normally takes about that long to organize. During the budget session an even earlier deadline is imperative because of the shortness of the session, but should pose no difficulty since the legislature is already organized and members and staff are familiar with the legislative process.

The establishment of an earlier deadline will not alter the present rules which permit the introduction of measures subsequent to the cut-off date by consent. Most states have similar provisions to allow the introduction of emergency or other necessary measures, but in some of the states, not only the spirit but the expressed rules have been flagrantly violated. Hawaii's legislators, in contrast, have exercised remarkable restraint as only six bills and joint resolutions were introduced after the deadline during the 1959 Regular Session.<sup>24</sup>

Objections to an earlier cut-off date are most likely to be on the ground that it would create a hardship on both legislators and their constituents in solidifying their ideas and preparing bills. This may be a serious problem for the new legislator who may need more time than the incumbent to orient himself. However, if ample notification is given, pre-filing would allow as much or more time for a legislator to file a bill and if he utilizes the bill-drafting services available, it should ease his burden to a certain extent.

The adoption of an early cut-off date is probably the simplest and yet most effective procedural change which can be made to better the working conditions of the legislature. With pre-filing, the strongest argument against an earlier cut-off date--that the bill introduction period will be shortened--is nullified.

#### VOLUME AND DUPLICATION OF BILLS

Another dimension to the problem of legislative congestion is that of volume. A factor which adds to volume is the introduction of many duplicate and "rejacketed" bills. The latter is a bill which has been rejected by former legislatures but is reintroduced at a subsequent session without any substantial change in its content.

---

<sup>24</sup>Legislative Reference Bureau, Final Status Table of Bills and Resolutions, 30th Territorial Legislature, 1959.

The most direct approach to the problem—that of restricting the overall number of bills which may be introduced—is considered by some legislators to be an infringement on the constitutional prerogative of a legislator to introduce bills.<sup>25</sup>

However, during the First Special Session, First Legislature of the State of Hawaii, the Senate, through a screening committee, restricted the introduction of bills to statehood transitional and emergency legislation. This restriction was not on the number of bills which a legislator may introduce during the session. Rather it was according to the content of a bill based on the fact that the Special Session was convened primarily to legislate on transitional matters. Some senators questioned the procedure; however, the Attorney General ruled that the screening committee and its procedure was well within the purview of a legislative body's power to prescribe its own rules of procedure.<sup>26</sup> The House of Representatives also had a screening committee but the question of legality was not raised since it allowed the introduction of all bills prior to the screening process. In all probability, the screening committees of both houses will continue to operate in the 1960 Budget Session, which is restricted primarily to budgetary and fiscal matters by the state constitution.<sup>27</sup>

---

<sup>25</sup>See excerpt of statement by Oswald D. Heck, Speaker of the New York State Assembly, which is cited on page 20.

<sup>26</sup>Attorney General of Hawaii, letter dated September 11, 1959, File Number HHS:DS, 389:20, which outlines the opinion of the Attorney General on the legality of the screening committee and procedure established by Senate Resolution 3, First Special Session, First State Legislature. In 1954, the Senate also had a screening committee at the Special Session relating to statehood matters. However, Senate Resolution Number 7, which then established the screening committee, was amended on the floor to read that measures would be referred to the screening committee after introduction. Subsequent screening committee reports, however, indicate that in practice, bills were screened prior to introduction. The procedure was not questioned by the minority who had supported the amendment to the resolution.

<sup>27</sup>Section 11, Article III, Constitution of the State of Hawaii.

The New York Assembly, beginning in the 1959 session, adopted a tapering-off period for the introduction of bills. One week before the final bill introduction deadline, each legislator is allowed to introduce only ten bills. Until then, however, there are no restrictions on the number of bills which may be introduced.<sup>28</sup> The New York Joint Legislative Committee on Legislative Practices and Procedures reported in 1958 that in the near future, it will study three other proposals: (1) a quota system limiting the number of bills a member may introduce each week or during the session or which will be received on any one day by either house; (2) multiple sponsorship of bills to eliminate introduction of duplicate bills in the same house; and (3) steps to prevent introduction of substantially similar bills and repeated introduction of identical bills (no further explanation given).<sup>29</sup> In Hawaii, multiple sponsorship has not prevented the introduction of duplicate bills to any appreciable degree. The screening committee in both houses, however, eliminated much of the troublesome aspects of duplicate introductions by bypassing the printing of such measures and by direct assignment to standing committees for consideration. In effect, an unprinted bill has little chance of being enacted. The Tennessee legislature goes a step further. A given bill is printed only once and a legislator introducing a similar measure subsequently has merely the satisfaction of seeing this fact recorded in the journal. Consequently, simultaneous introduction in both houses is arranged in advance for the majority of bills. The bill which first passes in either of the houses is sent to the other and all further

---

<sup>28</sup>State of New York, Rules of the Assembly 1959, Rule 7, p. 5.

<sup>29</sup>State of New York, Interim Report of the Joint Legislative Committee on Legislative Practices and Procedures, Document No. 14 (1958), p. 24.

action is taken only on this bill. This is a selective use of the companion bill device which has some advantages.<sup>30</sup> The procedure has been well received by Tennessee legislators.<sup>31</sup>

Oswald D. Heck, Speaker of the New York Assembly, criticized the practice of introducing "rejacketed" bills as follows:<sup>32</sup>

.... The big problem is that there is too much legislation introduced. Now, I am not saying that in any vein critical to my colleagues. I do not wish to interfere with any constitutional prerogatives on the introduction of bills. But time and again the legislative leadership of both parties has made appeals: please do not introduce so many pieces of legislation. This applies to the procedure of introducing rejacketed bills ... these measures would never pass any legislature made up of reasonable men and women. However, they are always taken out of the Document Room, the name of the introducer is scratched out, and the name of the new hopeful is written on, and the bill is introduced. These are usually for home consumption, and they haven't the slightest chance of ever passing, or even getting out of committee ....

On the other hand, a particular rejacketed bill may not be undesirable per se, as such a bill may eventually be passed by a subsequent legislature as the political climate changes to favor its enactment. However, if it is known beforehand to the introducer that such a bill has no chance of enactment in a current session, its introduction would only serve to needlessly tax the legislative process.

Duplicate bills in the same house, however, are inherently undesirable. They add to the cost of the legislature and consume valuable time. The legislature should seriously consider the retention of the screening committee even for the general session if only to weed out duplicate bills. Otherwise, this function could be delegated to the clerk of each house.

---

<sup>30</sup>Stanley Scott, Streamlining State Legislatures (Berkeley, California: 1956), pp. 20-21.

<sup>31</sup>Legislative Council Committee, State of Tennessee, letter dated August 20, 1959.

<sup>32</sup>State of New York, Interim Report ..., pp. 16-17.

Hawaii has a very high rate of bill introductions with a disproportionately small number of enactments (see Table 2). In order to obtain an insight to the pattern of bill introductions, a survey was conducted to determine the principal sponsor of each bill (the legislator whose name appears first among the sponsors of the bill), exclusive of identifiable administration and party measures, for the 1959 Regular Session, Thirtieth Territorial Legislature (see Tables 5 and 6).

In the House of Representatives, the highest number of the bills introduced by a single representative came to 246 measures or approximately 15 per cent of the 1673 House measures included in the survey. The ten representatives who introduced the most measures accounted for 879 items for an aggregate of 55 per cent. The remaining 41 members averaged 25.2 bills and joint resolutions introduced.

A similar situation was found in the Senate. One senator led in the number of introductions with 241 or almost 18 per cent of the 1363 Senate measures covered in the survey. The ten senators who introduced the most bills accounted for a total of 1005 measures or 74 per cent of the 1363 measures. This group averaged 100.5 measures introduced per senator, while the remaining 15 senators were principal sponsors for an average of 24.8 measures.

In the legislature as a whole, ten legislators introduced more than 42 per cent of all bills and joint resolutions included in the survey, for an average of 128.2 bills per legislator. The remaining 66 members averaged 26.5 measures and the overall average came to 39.9 measures per legislator. This means that for the 1959 Regular Session, only one-seventh of the membership of the legislature was the principal sponsors of almost 50 per cent of the measures introduced in the session.

In the various state legislatures the volume is influenced, among others, by such factors as the political traditions and economic climate of the state, the kinds of legislation introduced such as private and local bills, and the size of

legislative membership. Because of these variables, the number of bills introduced in a legislature is probably insignificant in determining whether the needs of a state are being met by its legislature. Nevertheless, Hawaii ranks second among the several states in the average number of bills introduced per legislator. The average in seven states--Arizona, Georgia, Missouri, Montana, New Hampshire, North Dakota and Vermont--is four bills or less. In more than half of the states, the average is eight or less. In marked contrast, five states--Minnesota (20), Florida (27), New York (37), HAWAII (39.9) and California (57)--have averages of 20 bills or more per legislator. The large number of local bills introduced has a bearing on the averages for Florida, Hawaii and Minnesota. California's figure is swelled by the numerous skeleton bills which are introduced.<sup>33</sup> This comparison sharply points up the problem of volume which is faced by the Hawaii legislature and its adverse effect upon the legislative process.

In Hawaii the screening committees can be used effectively to eliminate much of the excessive volume. The legislature can also exercise control through its rules of procedure, but the only lasting solution to this problem is for the individual legislators to exercise sound discretion and good judgment as to the nature and number of bills they introduce.

#### ROLL CALLS AND SPECIAL CALENDARS<sup>34</sup>

A constitutional provision that consumes precious time, especially during the closing days of the session, is the requirement for roll call votes for all bills

---

<sup>33</sup>Council of State Governments, Book of the States 1958-1959 (Chicago: 1958) p. 32. A skeleton bill is one which meets the technical requirements of having a title, enacting clause, etc., but gives no substantive information as to its purpose. It is used to "save a spot" in the legislative mill and can be amended to suit the introducer's purpose. It is a device to get around the deadline for introduction of new bills.

<sup>34</sup>Unless otherwise footnoted, this portion of the report is mainly from a report prepared by the Kentucky Legislative Research Commission, The Legislative Process in Kentucky (Frankfort, Kentucky: 1955), pp. 141-145.

on third or final reading.<sup>35</sup> The requirement exists in approximately three-fourths of the states. Some state legislatures, however, have worked out methods of circumventing this requisite. The courts generally do not go behind the enrolled bills in examining legislative action.

In Hawaii, for instance, it is estimated that there were approximately 1,200 roll call votes on third or final readings of bills and joint resolutions during the 1957 Regular Session and of this total, approximately 735 roll call votes were uncontested (roll calls which resulted in unanimous vote without debate or floor amendments), a percentage of approximately 60 per cent. A sizeable portion of these uncontested measures was rushed through the last five days of the session.<sup>36</sup>

In other states such as Kentucky, Illinois and New York, from 70 to as much as 92 per cent of roll calls on the final passage of bills are reportedly uncontested. These states deny that their legislators give blanket approval to bills; rather the unanimity shows that the bills had survived the major legislative obstacles by the time they came to a vote. Bills usually are not reported out to the floor unless they have a good chance of passage, or have been expurgated in committees. Many bills, especially those dealing with routine matters, are noncontroversial.

In Kentucky, a "bulk" roll call is occasionally used. A number of bills or resolutions are voted on by a single roll call, but a separate roll call for each is recorded in the journal. The clerk calls the roll and each member votes on the group of measures with a single vote or he may vote in the affirmative on some of the measures and oppose others. The device is used only by unanimous consent, and usually in the closing days of the session.

---

<sup>35</sup>Constitution of the State of Hawaii, Section 14, Article III.

<sup>36</sup>Survey of House and Senate Journals, 29th Legislature, 1957, Territory of Hawaii.

Similar short-cuts are used by other state legislatures. Kansas makes regular use of the "bulk" roll call for all uncontested bills. In New York, only 3 per cent of roll calls are "full" roll calls, most of the remainder are "short" roll calls in which the names of the first member on the alphabetical list, the majority and minority leaders, and the last member on the list are called. If there is no objection, all members present are recorded as voting in the affirmative. Pennsylvania uses a system which is known as the "show-of-hand" roll call. Only those voting in the negative do so by raising their hands, while those who do not raise their hands are automatically recorded in the journal as voting in the affirmative.

There is no need to circumvent the roll call requirement if an automatic or electronic voting device is installed since it would be fast and also complete. For example, New Jersey's 60-member lower house reportedly takes only thirty to sixty seconds to complete a roll call and Illinois estimates that the time needed for roll calls has been cut down from about 100 hours during a session to approximately 14 hours by an automatic voting device. Although the use of an automatic voting device may engender some undesirable results--such as a legislator habitually waiting to see what the votes of others are before he casts his vote--the response by users has generally been favorable. Thirty-three states have adopted such devices either in one or both houses of the legislature.<sup>37</sup> The cost of installation is determined by the type of equipment and whether it is bought or rented. The present tendency is to rent first with option to purchase after a trial period. For Hawaii, an opportune time to consider the installation of a similar device would be when the new state capitol is built.

---

<sup>37</sup>Council of State Governments, Book of the States 1958-1959, p. 31.

No state uses a calendar system as complicated as that of Congress but at least ten states reportedly use special calendars to expedite their business. In Florida, the daily calendar is divided into local and general bills calendar. The Georgia legislature and the South Carolina Senate have local calendars which are acted upon on a weekly and daily basis, respectively. The Texas legislature has a local and uncontested bill calendar for consideration on days designated from time to time. California, Connecticut, Iowa, Minnesota, Mississippi and Pennsylvania also have consent or noncontroversial calendars. A local bill calendar and a consent or noncontroversial calendar may be useful in Hawaii because of the large number of local and/or uncontested bills introduced. To prevent misuse of special calendars, adequate safeguards should be installed in the legislative machinery. Provisions should be made to remove a bill from the special calendar if objection is raised when the bill is called for consideration.

In California, assignment of bills to the consent calendar is made by the standing committee considering the bill. Assignment is made by the Rules Committee in the states of Georgia, Minnesota and Mississippi. Iowa and Texas have special committees on local and uncontested bills who make the assignment. In Connecticut, assignment is made by the majority and minority leaders of the respective houses, while in the remaining states, assignment is made by the presiding officer of the respective houses.<sup>38</sup>

In Hawaii, there is machinery existing for the assignment of measures to a local, consent or noncontroversial calendar. The screening committee of each house, which is composed of majority and minority leaders and chairmen of the more important committees, would be the logical body to make such assignments.

---

<sup>38</sup>Council of State Governments, American Legislatures: Structures and Procedures (Chicago, October 1959), p. 30.

## JOINT COMMITTEES AND JOINT MEETINGS

The most important work of the legislature is conducted by standing and special committees. Stated in another way, the committee system is the core of the legislative process. The committee is where bills receive, or should receive, the most thorough consideration. In light of the increasing volume of measures which are introduced, the screening function of the committee has become even more essential.

For a number of years, the Council of State Governments and other authorities familiar with the legislative process have urged that more legislatures should reduce the numbers of their committees to facilitate efficient conduct of work and to eliminate conflicts in committee meetings, inadequate advance notice of hearings, and assignment of legislators to more committees than they can serve effectively. The trend among the states reportedly has been in the recommended direction: reductions in committees between 1946 and 1957 have lowered the median number of house standing committees from 39 to 23 and of senate standing committees from 31 to 21 (see Table 7). The range in the number of house committees, excluding states where the bulk of committee work is done by joint committees, is from a low of eight in South Carolina up to 65 in Arkansas. A similar range for senate committees is from seven in New Mexico to 46 in Mississippi.<sup>39</sup>

In 1959, the number of standing committees in the Hawaii legislature increased from 14 to 18 in the Senate and from 15 to 28 in the House of Representatives over the 1957 Regular Session. In relation to the other states, the Hawaii Senate still has a small number of committees and the House places somewhere close to the median in ranking among the lower houses. This increase is partly attributable to the 1958

---

<sup>39</sup>Council of State Governments, Book of the States 1958-1959, pp. 30-31.

reapportionment which boosted total legislative membership from 45 to 76 but the number of committees is probably more nearly decided by the number of majority members in each house. Even with the increased total membership, Hawaii's legislature is still among the smallest of the states. Only Alaska (40), Connecticut (52), Nebraska (43--unicameral) and Nevada (64) have smaller legislatures.<sup>40</sup>

During late session congestion, the problem of multiple committee assignments is accentuated. It is frequently difficult for a legislator serving on more than one committee to avoid a conflict in meetings.

Several partial solutions suggest themselves. The most basic proposal would be to cut down on the number of committee assignments, either by reducing the number of committees or the number of members serving on each committee. Advanced scheduling of meetings, adequately announced, could also be helpful in avoiding conflicts in meetings. It might be possible to reserve a regular time for meetings of the major committees of either house. The same procedure could be used, systematically, in scheduling public hearings.<sup>41</sup>

In a few states, notably in New England, joint standing committees carry on most of the referral work. There are, among others, Connecticut with 28 joint committees (the state has no single house committees), Massachusetts with 31 and Maine with 24.<sup>42</sup> However, to adopt such a system in Hawaii would require a basic structural change in the organization of the legislature.

A device which does not go as far is the use of joint hearings or meetings by committees in the respective houses. A joint rule for the Washington State

---

<sup>40</sup>Council of State Governments, op. cit., p. 35.

<sup>41</sup>Hawaii Legislative Reference Bureau, A Brief Examination of the Legislative Process in Hawaii, Request No. 5147 (December 1956), p. 13.

<sup>42</sup>Council of State Governments, op. cit., p. 31.

Legislature makes it the duty of the chairmen of standing committees to schedule public hearings in conjunction with the comparable committee in the other house.<sup>43</sup> Committees in Vermont usually meet jointly.

Committees of the Hawaii legislature have informally held joint hearings or meetings from time to time. During the special session of 1949, both houses sat together to receive information concerning the tie-up of shipping and to consider legislation affecting the strike. In 1955 the respective Finance and Ways and Means Committees met together at the beginning of the session to review the territorial budget.<sup>44</sup> There were other joint meetings held during the 1957 Regular Session. The 1959 Regular Session reportedly had only two instances of joint action by committees.

Joint hearings engender some practical disadvantages. It may prove difficult to schedule meetings at a time convenient to both committees. Individuals unable to attend a hearing will not have a second chance to do so, as would be possible if committees held separate hearings. Joint meetings may be assailed as running counter to a system of checks which is desirable and is intended to be in the committee system. However, these are obstacles which can be overcome, and to which there are some equally deserving counter-arguments.

The obvious reasons for holding joint hearings and meetings are two-fold: (1) to expedite legislation and (2) to eliminate duplication. Furthermore, it assures that both committees will have the same information and still allow them to further

---

<sup>43</sup>Washington State Printing Office, 1959 Legislative Manual, State of Washington, Joint Rule No. 26 (Olympia: 1959), p. 236.

<sup>44</sup>Information provided by Dr. Norman Meller, Professor of Government, University of Hawaii.

consider and report legislation separately. As discussed earlier, adequate notice would allow all interested parties to appear at a joint hearing. There is no doubt, however, that the success of joint committee action would require the close cooperation of both houses in arranging procedures and in scheduling meetings so as to avoid conflicts with the other affairs of either house.

Table 1

BILLS AND JOINT RESOLUTIONS  
INTRODUCED IN REGULAR SESSIONS OF THE HAWAII LEGISLATURE

1901 .....	267	1931 .....	755
1903 .....	409	1933 .....	730
1905 .....	488	1935 .....	743
1907 .....	367	1937 .....	1,052
1909 .....	405	1939 .....	1,046
1911 .....	419	1941 .....	1,197
1913 .....	472	1943 .....	662
1915 .....	504	1945 .....	1,165
1917 .....	621	1947 .....	1,595
1919 .....	620	1949 .....	2,044
1921 .....	575	1951 .....	1,850
1923 .....	611	1953 .....	2,153
1925 .....	816	1955 .....	2,656
1927 .....	772	1957 .....	2,413
1929 .....	646	1959 .....	3,454

---

Sources: Legislative Reference Bureau, Hawaii Legislative Manual (Honolulu, 1958), p. 82; Status Table of Bills and Resolutions, 30th Legislature, 1959 Regular Session.

Table 2

STATES RANKED BY NUMBER OF MEASURES INTRODUCED,  
ENACTED, AND PER CENT OF MEASURES ENACTED: 1957 REGULAR SESSIONS

<u>Number of Measures Introduced</u>		<u>Number of Measures Enacted</u>		<u>Per Cent of Measures Enacted</u>	
(1) New York	7,888	California	2,424	North Carolina	74.3
(2) California	6,863	Florida	1,967	Vermont	65.8
(3) Massachusetts	4,194	North Carolina	1,455	Nebraska	65.7
(4) Minnesota	4,014	Connecticut	1,335	Virginia*	62.5
(5) Florida	3,597	Illinois	1,183	North Dakota	61.8
(6) Connecticut	3,592	New York	1,047	New Hampshire	59.3
(7) Pennsylvania	2,671	Minnesota	964	Georgia	57.2
(8) HAWAII**	2,413	Massachusetts	932	Florida	54.7
(9) Illinois	2,314	Maryland	852	Nevada	54.7
(10) Tennessee	2,026	Tennessee	824	Oregon	54.3
(11) Louisiana*	1,990	Alabama	755	South Dakota	54.3
(12) North Carolina	1,986	Oregon	726	Kansas	52.9
(13) Alabama	1,941	Virginia*	721	Maryland	52.7
(14) Maryland	1,616	Wisconsin	706	Wyoming	51.3
(15) Mississippi*	1,587	South Carolina	697	Illinois	51.1
(16) Wisconsin	1,512	Mississippi*	652	Alaska	49.7
(17) Maine	1,474	Georgia	640	Arkansas	49.2
(18) Texas	1,442	Louisiana*	636	Idaho	48.8
(19) South Carolina	1,434	Maine	616	South Carolina	48.6
(20) Ohio	1,384	Arkansas	568	Wisconsin	46.7
(21) Washington	1,364	Pennsylvania	546	Oklahoma	45.9
(22) Oregon	1,336	Kansas	538	Rhode Island	43.9
(23) Arkansas	1,154	South Dakota	513	Maine	41.8
(24) Virginia*	1,154	Texas	511	Mississippi*	41.1
(25) Georgia	1,118	Oklahoma	503	Tennessee	40.7
(26) Iowa	1,101	Rhode Island	472	Utah	39.1
(27) Michigan	1,100	Nevada	450	Alabama	38.9
(28) Oklahoma	1,096	New Hampshire	438	Indiana	37.7
(29) Rhode Island	1,075	Vermont	424	Connecticut	37.2
(30) New Jersey	1,054	Nebraska	404	Delaware***	36.6
(31) Kansas	1,016	North Dakota	392	Montana	36.6
(32) Indiana	957	HAWAII**	371	Texas	35.4
(33) West Virginia	954	Indiana	361	California	35.3
(34) South Dakota	944	Idaho	336	Missouri	34.9
(35) Missouri	918	Ohio	336	Colorado	34.7

Table 2 (continued)

<u>Number of Measures Introduced</u>		<u>Number of Measures Enacted</u>		<u>Per Cent of Measures Enacted</u>	
(36) Colorado	868	Michigan	334	Louisiana	32.0
(37) New Mexico	837	Missouri	320	Michigan	32.0
(38) Nevada	823	Iowa	305	New Mexico	30.3
(39) Delaware***	793	Colorado	301	Iowa	27.7
(40) Kentucky*	779	Washington	301	West Virginia	27.4
(41) Montana	744	Delaware***	290	Kentucky*	24.9
(42) New Hampshire	738	Wyoming	273	Ohio	24.3
(43) Idaho	688	Montana	272	Minnesota	24.0
(44) Vermont	644	West Virginia	261	New Jersey*	23.9
(45) North Dakota	634	New Mexico	254	Massachusetts	22.2
(46) Nebraska	615	New Jersey*	252	Washington	22.1
(47) Utah	563	Utah	220	Pennsylvania	20.4
(48) Wyoming	532	Kentucky*	194	Arizona	19.0
(49) Arizona	526	Alaska	187	HAWAII**	15.4
(50) Alaska	376	Arizona	100	New York	13.3
Arithmetic Mean:	1,606	Arithmetic Mean:	579	Arithmetic Mean:	41.5
Median:	1,101	Median:	450	Median:	40.7

---

Source: Compiled by Hubert F. Watson from Book of the States 1958-1959, pp. 50-51, Council of State Governments. For most jurisdictions the figures reported include only those measures having the force of law.

\*1956 Regular Session.

\*\*For the 1959 Regular Session, Hawaii's box score was:

Number of Measures Introduced: 3,454  
 Number of Measures Enacted: 306  
 Per Cent of Measures Enacted: 8.86

\*\*\*Includes only those measures considered during the first 94 days of the session.

Table 3

STATE PROVISIONS  
FOR PRE-SESSION FILING OF BILLS

<u>State</u>	<u>Authorization</u>	<u>Receiving Agency</u>	<u>Period Filed</u>
Alaska	Statute	Legislative Council	60 days prior to annual regular sessions
Connecticut	Statute	Legislative Clerks	Prior to regular session in January
Louisiana	Concurrent Resolution	Legislative Council	60 days prior to sessions
Maine	Informal Arrangement	Director of Legislative Research	Prior to the sessions (no further explanation)
Massachusetts	Joint Rule of General Court	Legislative Clerks	Must be filed by first Wednesday of December preceding annual session
Michigan	Joint Rule of Legislature	Legislative Clerks	Interim between 1st and 2nd general sessions
New Hampshire	Statute	Legislative Clerks	Prior to sessions (not specified)
New York	Joint Rule of the General Assembly	Legislative Clerks	November 15 to convening of annual sessions
North Dakota	Informal Arrangement	Legislative Research Committee	Prior to session (not specified)
Oklahoma	Joint Resolution	Legislative Clerks	From 16th day following election to convening of session
Wisconsin	Statute	Legislative Reference Library	Strictly speaking, pre-session printing and not pre-filing

---

Sources: Council of State Governments, Book of the States 1958-1959, pp. 44-45; and Legislative Research Checklist (September, 1959), pp. 1, 6. Also letters from legislative service agencies of the above-named states.

Table 4

TIME SPREAD OF INTRODUCTION  
OF BILLS AND JOINT RESOLUTIONS IN HAWAII  
1955, 1957 and 1959 REGULAR SESSIONS

	1 to 10 days		11 to 30 days		30 days to end of session	
	<u>No. of Measures</u>	<u>%</u>	<u>No. of Measures</u>	<u>%</u>	<u>No. of Measures</u>	<u>%</u>
Hawaii 1955						
Senate	352	32.6	400	37.4	328	30.0
House	623	39.1	500	31.6	453	39.3
Hawaii 1957						
Senate	358	33.9	359	33.9	341	32.2
House	465	34.3	442	32.7	448	33.0
Hawaii 1959						
Senate	523	33.3	558	35.5	490	31.2
House	540	28.7	750	39.8	593	31.5

---

Source: House and Senate Journals for respective years.

Table 5

MEASURES INTRODUCED IN HOUSE OF REPRESENTATIVES  
30TH TERRITORIAL LEGISLATURE, 1959\*

<u>Rank by No. of Bills Introduced</u>	<u>Number of Bills Introduced</u>	<u>% of Total Introduc- tions</u>	<u>Cumulative Total of Bills Introduced</u>	<u>Cumulative % of Introduc- tions</u>
1	246	14.70	246	14.70
2	125	7.47	371	22.17
3	92	5.49	463	27.66
4	90	5.38	553	33.04
5	69	4.12	622	37.16
6	63	3.77	685	40.93
7	52	3.12	737	44.05
8	49	2.93	786	46.98
9	47	2.81	833	49.79
10	46	2.75	879	52.54
11	45	2.69	924	55.23
12	44	2.63	968	57.86
13	44	2.63	1012	60.49
14	39	2.33	1051	62.82
15	39	2.33	1090	65.15
16	38	2.21	1128	67.36
17	37	2.21	1165	69.57
18	34	2.03	1199	71.60
19	33	1.97	1232	73.57
20	30	1.79	1262	75.36
21	27	1.62	1289	76.98
22	25	1.49	1314	78.47
23	25	1.49	1339	79.96
24	24	1.43	1363	81.39
25	22	1.31	1385	82.70
26	20	1.20	1405	83.90
27	19	1.14	1424	85.04
28	18	1.08	1442	86.12
29	18	1.08	1460	87.20
30	16	0.97	1476	88.17
31	16	0.97	1492	89.14
32	14	0.84	1506	89.98
33	14	0.84	1520	90.82
34	14	0.84	1534	91.66
35	13	0.78	1547	92.44

Table 5 (continued)

<u>Rank by No. of Bills Introduced</u>	<u>Number of Bills Introduced</u>	<u>% of Total Introduc- tions</u>	<u>Cumulative Total of Bills Introduced</u>	<u>Cumulative % of Introduc- tions</u>
36	13	0.78	1560	93.22
37	13	0.78	1573	94.00
38	12	0.72	1585	94.72
39	11	0.66	1596	95.38
40	10	0.60	1606	95.98
41	9	0.54	1615	96.52
42	8	0.48	1623	97.00
43	8	0.48	1631	97.48
44	8	0.48	1639	97.96
45	7	0.42	1646	98.38
46	7	0.42	1653	98.80
47	6	0.36	1659	99.16
48	5	0.30	1664	99.46
49	4	0.24	1668	99.70
50	3	0.18	1671	99.88
51	2	0.12	1673	100.00

---

Source: House Journal, 1959.

\*Excludes identifiable party and administration measures.

Table 6

MEASURES INTRODUCED IN SENATE  
30TH TERRITORIAL LEGISLATURE, 1959\*

<u>Rank by No. of Bills Introduced</u>	<u>Number of Bills Introduced</u>	<u>% of Total Introduc- tions</u>	<u>Cumulative Total of Bills Introduced</u>	<u>Cumulative % of Introduc- tions</u>
1	241	17.7	241	17.7
2	150	11.0	391	28.7
3	102	7.5	493	36.2
4	82	6.0	575	42.2
5	78	5.7	653	47.9
6	76	5.6	729	53.5
7	73	5.4	802	58.9
8	72	5.3	874	64.2
9	66	4.9	940	69.1
10	65	4.8	1005	73.9
11	55	4.1	1060	78.0
12	54	4.0	1114	82.0
13	53	3.9	1167	85.9
14	39	2.9	1206	88.8
15	33	2.3	1239	91.1
16	28	2.0	1267	93.1
17	21	1.5	1288	94.6
18	15	1.1	1303	95.7
19	15	1.1	1318	96.8
20	13	0.9	1331	97.7
21	11	0.8	1342	98.5
22	7	0.5	1349	99.0
23	7	0.5	1356	99.5
24	6	0.4	1362	99.9
25	1	0.1	1363*	100.0

---

Source: Senate Journal, 1959.

\*Excludes identifiable party and administration measures.

Table 7

NUMBER OF STANDING COMMITTEES  
IN STATE LEGISLATURES, 1957

Number of Standing Committees	Number of States in Each Range					
	House		Senate(a)		Joint	
	1946	1957	1946	1957	1946 (b)	1957 (b)
10 or under	0	4	0	4	23	23
11-20	2	16	8	18	0	0
21-30	9	10	15	17	0	2
31-40	15	7	13	8	2	1
41-50	12	7	9	1	1	0
51-60	7	1	2	0	0	0
61-70	2	2	1	0	0	0

Source: Council of State Governments, Book of the States 1958-1959,  
p. 31.

(a) Nebraska (unicameral) included only under "Senate."

(b) Excludes 21 states reporting no joint standing committees.