



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

GOV. MSG. NO. 1323

July 12, 2018

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

Re: HB1646 HD1 SD1 CD1

HB1646 HD1 SD1 CD1, entitled "A BILL FOR AN ACT RELATING TO MEMBERS OF CONGRESS" will become law without my signature, pursuant to Section 16 of Article III of the State Constitution.

The purpose of this bill is to establish a procedure to allow newly-elected United States Senators from Hawai'i to begin their terms of office earlier than newly-elected senators from other states, to acquire seniority and maximize their ability to represent the state. The bill requires the Governor to appoint a newly-elected senator to office if the incumbent vacates the office prior to the expiration of the incumbent's term of office.

The requirement that the Governor appoint a newly-elected senator to office in cases where the incumbent chooses to vacate the office prior to the end of his or her term may put undue pressure on incumbents who lose their seats in a general election to leave before they complete their term of office.



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

For the foregoing reason, HB1646 HD1 SD1 CD1 will become law as ACT 214,
Session Laws of Hawai'i 2018, effective July 10, 2018, without my signature.

Sincerely,

A handwritten signature in black ink, appearing to read "David Y. Ige".

DAVID Y. IGE
Governor, State of Hawai'i

Permitted to become law without the

ORIGINAL

Governor's signature JUL 10 2018

ACT 214

HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE, 2018
STATE OF HAWAII

H.B. NO.

1646
H.D. 1
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO MEMBERS OF CONGRESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the United States
2 Congress operates on a seniority system of granting privileges
3 to its members (senators and representatives) who have served
4 the longest. Those privileges range from the selection of
5 members' offices to committee assignments. In addition, members
6 with a longer term of service on a committee assume senior
7 status and wield more power in the committee. Seniority is also
8 often considered in awarding committee chair positions.

9 The legislature further finds that it is in the best
10 interest of the State for Hawaii's congressional delegation to
11 accumulate seniority in office as quickly as possible to ensure
12 that the delegation can successfully represent Hawaii's
13 citizens. One possibility of assisting Hawaii's delegation in
14 rapidly building seniority would be to automatically appoint
15 newly-elected United States senators to office immediately if
16 the incumbent vacates the office after the general election but
17 prior to the end of the incumbent's term, which is January 3 as
18 established under Section 1 of the Twentieth Amendment to the



1 United States Constitution. Under those circumstances, an
2 automatic procedure would be in place to ensure that Hawaii's
3 newly-elected United States senators will assume office earlier
4 than newly-elected senators from other states who must wait for
5 the incumbent's term to expire.

6 The purpose of this Act is to establish an automatic
7 procedure that allows Hawaii's newly-elected United States
8 senators, under certain circumstances, to begin their terms of
9 office with greater seniority that maximizes their ability to
10 represent this State, by providing that when a candidate other
11 than the incumbent is elected to the office of United States
12 senator, and the incumbent vacates the office prior to the
13 expiration of the incumbent's term, the governor must appoint
14 the member-elect to immediately fill the vacancy.

15 SECTION 2. Section 17-1, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "§17-1 United States senator. [~~When~~] (a) Except as
18 provided in subsection (b), when a vacancy occurs in the office
19 of United States senator, the vacancy shall be filled for the
20 unexpired term at the following state general election; provided
21 that the vacancy occurs not later than 4:30 p.m. on the twenty-



1 first day prior to the date specified in section 12-6 for the
2 close of filing nomination papers for regularly scheduled
3 elections; otherwise at the state general election next
4 following. The chief election officer shall issue a
5 proclamation designating the election for filling the vacancy.
6 All candidates for the unexpired term shall file nomination
7 papers not later than the date and time specified in section
8 12-6 and shall be nominated and elected in accordance with this
9 title. Pending the election, the governor shall make a
10 temporary appointment to fill the vacancy by selecting a person
11 from a list of three prospective appointees submitted by the
12 same political party as the prior incumbent. The appointee
13 shall serve until the election and qualification of the person
14 duly elected to fill the vacancy and shall be, at the time of
15 appointment, and shall have been, for at least six months
16 immediately prior to the appointment, a member of the same
17 political party as the prior incumbent. The appointee shall be
18 a resident of the State. If the prior incumbent was not a
19 member of any political party, the governor shall appoint a
20 person who is not and has not been, for at least six months



HB No. 1646, HD 1, SD 1, CD 1

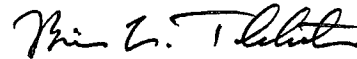
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



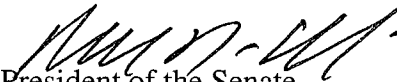
Brian L. Takeshita
Chief Clerk
House of Representatives


H.B. No. 1646, H.D. 1, S.D. 1, C.D. 1

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.


President of the Senate


Clerk of the Senate