

**CHAPTER 22**  
**PRESIDING OFFICERS, CLERKS, AND STAFF**

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**§22-1 Presiding officer, tenure.** The presiding officer and vice-presiding officer of each house of the legislature shall retain their respective offices, and shall discharge duties appropriate to their offices in the interim between sessions of the legislature, until such time as their successors are qualified in accordance with the rules of the respective houses or unless their tenure be terminated by action of the respective houses. [L 1965, c 231, pt of §1; Supp, pt of §2-50; HRS §22-1]

### **Attorney General Opinions**

Senate rule 31(3), which allows a majority of the members of the senate to convene a meeting of the senate "at any time for the purpose of carrying out the Senate's responsibilities under Article III, Section 12, of the Constitution of the State of Hawaii", does not violate this section, because the rule merely establishes a portion of the process members must follow to terminate or choose their officers. Att. Gen. Op. 05-1.

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**§22-2 Succession to presiding office of senate and house of representatives.** In case of the removal from office, or the death, resignation, absence from the State, or other inability of the presiding officer of the senate or the house of representatives to discharge the duties of the presiding officer's office, the vice-presiding officer of the senate or the house of representatives, as the case may be, shall become presiding officer until the disability be removed or until a successor to the office of presiding officer is qualified in accordance with the rules of the senate or the house of representatives, as the case may be. [L 1965, c 231, pt of §1; Supp, §2-51; HRS §22-2; gen ch 1985]

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**§22-3 Clerk, tenure.** The clerk of each house of the legislature shall, during sessions of the legislature, devote full time to the duties of the clerk's office; the clerk shall continue to hold office as clerk and shall discharge duties appropriate to the clerk's office in the interim between sessions of the legislature, until such time as the clerk's successor is qualified in accordance with the rules of the respective house or unless the clerk's tenure be terminated by action of the respective house. [L 1965, c 231, pt of §1; Supp, pt of §2-50; HRS §22-3; gen ch 1985]

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**§22-4 Permanent staffing.** Each house of the legislature may by appropriate rules provide for permanent professional staffing for each respective house. Persons appointed shall perform and observe such duties and responsibilities as may be assigned to them, and they may be called to assist in the development and formulation of policy. Persons appointed by each respective house may, if so determined, serve as staff to committees during the interim and during regular sessions. They shall be appointed and removed and compensated as provided for in the rules of the respective houses, and the provisions of chapter 76 shall not apply. The members of the permanent staff shall be entitled to every state employee benefit and privilege. [L 1965, c 231, pt of §1; Supp, §2-52; am L 1967, c 148, §2; HRS §22-4; am L 2000, c 253, §150]

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**§22-5 Payment of legislative bills and accounts.** During any session the clerk of each house shall pay all bills and accounts as shall be approved in accordance with the rules of the respective houses. When either house is not in session the clerk shall pay all bills and accounts as shall be approved by the presiding officer of the respective houses. The presiding officer of each house may authorize the payment of bills and accounts during the interim between sessions of the legislature. [L 1965, c 231, pt of §1; Supp, §2-53; HRS §22-5]

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**[\$22-6] Notice of proposed constitutional amendments.**

Upon the adoption of any bill that proposes a constitutional amendment, the clerks of each house of the legislature shall publish the text of the proposed constitutional amendment in accordance with article XVII, section 3 of the Constitution of the State of Hawaii. [L 2003, c 8, §1]

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