
A BILL FOR AN ACT

RELATING TO THE LEGISLATURE.

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

1 SECTION 1. The purpose of this Act is to require the
2 legislature to follow certain fundamental principles of the
3 Sunshine Law in conducting its business. This Act accomplishes
4 this purpose by doing the following:

5 (1) Requiring each legislative house to conduct a public
6 hearing on proposed legislative rules prior to
7 adoption;

8 (2) Provide that correspondence, including messages from
9 the governor, submitted on a measure shall be
10 considered and treated as testimony on the measure;

11 (3) Institute a forty-eight hour public notice requirement
12 for committee hearings to ensure reasonable
13 opportunity for public input and testimony on
14 legislation;

15 (4) Require that all floor votes, except on first reading,
16 be printed on the order of the day for the day prior
17 to consideration; and



1 (5) Require a majority vote of the house for that house to
2 suspend a legislative rule.

3 SECTION 2. Chapter 92, Hawaii Revised Statutes, is amended
4 by adding a new part to be appropriately designated and to read
5 as follows:

6 **"PART . LEGISLATIVE PROVISIONS**

7 **§92- Testimony and public notice.** (a) Public notice
8 shall be provided at least forty-eight hours before a hearing.
9 The forty-eight hour period shall exclude Sundays and state
10 holidays. A house, or a committee thereof, shall conduct a
11 public hearing on all major substantive provisions made by that
12 house in any legislative measure before the house votes to
13 approve the measure.

14 (b) All correspondence submitted on a measure, including
15 messages from the governor, shall be considered official
16 testimony for the record.

17 **§92- Rules of the legislature.** Each legislative house
18 shall adopt official rules and policies only after a public
19 hearing is held on the proposed rules and policies and by a
20 majority vote of the members to which the house is entitled.
21 Suspension of a legislative rule by a house shall require an



1 affirmative vote of a majority of that house's members to which
2 that house is entitled.

3 **§92- Agenda and voting.** All items to be voted on by
4 each legislative house, except for first reading votes on bills,
5 shall be printed on the order of the day on the day before
6 consideration, including votes to agree to amendments from the
7 other house."

8 SECTION 3. Section 92-10, Hawaii Revised Statutes, is
9 amended to read as follows:

10 **"§92-10 Legislative branch; applicability.**

11 [Notwithstanding any provisions contained in this chapter to the
12 contrary, open] Open meeting requirements, and provisions
13 regarding enforcement, penalties and sanctions, as they are to
14 relate to the state legislature or to any of its members shall
15 be [such as shall be] as provided for in part and from time
16 to time prescribed by the respective rules and procedures of the
17 senate and the house of representatives, which rules and
18 procedures shall take precedence over this part. Similarly,
19 provisions relating to notice, agenda and minutes of meetings,
20 and such other requirements as may be necessary, shall also be
21 governed by part and the respective rules and procedures of
22 the senate and the house of representatives."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.
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INTRODUCED BY:

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Report Title:

Legislature; Sunshine Law; meetings

Description:

Requires the legislature to follow fundamental principles of the Sunshine Law, including conducting public hearings for legislative rulemaking; broadly construing written correspondence on measures as official testimony; giving 48 hours public notice for hearings; providing notice of matters pending a floor vote in the order of the day before consideration; and requiring a majority vote to suspend legislative rules.

