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# SENATE RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONVENE A WORKING GROUP TO REVISE AND UPDATE THE HAWAII LEGISLATIVE DRAFTING MANUAL.

1           WHEREAS, in 2009, there were 1,843 bills introduced in the  
2 House of Representatives and 1,680 bills introduced in the  
3 Senate. Of these bills, two hundred fifty-one were passed and  
4 submitted to the Governor; and

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6           WHEREAS, in 2009, nine hundred forty-eight resolutions were  
7 introduced in both the House of Representatives and the Senate,  
8 and, of these, two hundred eighty-eight were adopted; and

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10          WHEREAS, the Legislature considers this enormous volume of  
11 bills and resolutions within a relatively short time period--  
12 approximately four months during a regular legislative session--  
13 and the resources to do so are limited. Thus, the Legislature  
14 must prioritize and focus on substantive issues that benefit the  
15 people of Hawai'i, such as revitalizing the economy or addressing  
16 furloughs in Hawaii public schools, rather than expending these  
17 limited resources on technical disagreements over differences in  
18 drafting styles of the measures, such as whether the word  
19 "State" should be capitalized or whether "that" or "which" is  
20 appropriate in a specific sentence; and

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22          WHEREAS, when members of the Legislature are expending  
23 their time and resources on these differences in drafting styles  
24 within one high-priority measure, they may not have sufficient  
25 time to address other measures that could benefit the quality of  
26 life for Hawai'i's people; and

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28          WHEREAS, notwithstanding the need of the Legislature to  
29 focus its attention on substantive concerns, the Legislature is  
30 cognizant of the necessity of making each measure that is passed  
31 or adopted consistent with and integrated into the existing  
32 Hawaii Revised Statutes, and, accordingly, members of the  
33 Legislature cannot simply ignore these style differences; and  
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1 WHEREAS, to alleviate the Legislature from misspending its  
2 scarce resources, all proponents of measures and, specifically,  
3 governmental agencies, including the Legislature, should attempt  
4 to strive for consistency and integration while drafting or  
5 amending the measures throughout the legislative process; and  
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7 WHEREAS, the Legislative Reference Bureau publishes the  
8 "Hawaii Legislative Drafting Manual" (Drafting Manual), which is  
9 currently in its ninth edition, for the very purpose of  
10 conformity of drafting styles to effectuate consistency and  
11 integration with the Hawaii Revised Statutes and to provide  
12 guidance to those who are drafting or amending measures; and  
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14 WHEREAS, the Legislative Reference Bureau, the Director of  
15 which is the Revisor of Statutes pursuant to section 23G-11,  
16 Hawaii Revised Statutes, is tasked with making changes to any  
17 act to conform the style of the act to the Hawaii Revised  
18 Statutes; and  
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20 WHEREAS, the style rules were incorporated into the  
21 Drafting Manual, which was adopted by both the House of  
22 Representatives and the Senate in 1967, and, thus, the Drafting  
23 Manual published by the Legislative Reference Bureau is  
24 authoritative and, absent an amended edition of the Drafting  
25 Manual, should be adhered to by all proponents of legislative  
26 measures, including governmental agencies and the Legislature;  
27 and  
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29 WHEREAS, the current edition of the Drafting Manual has not  
30 been substantively updated since January 1996, does not  
31 incorporate recent changes to style rules, and does not reflect  
32 current drafting practices of legislative drafting agencies or  
33 the style preferred by the Legislative Reference Bureau, as the  
34 Revisor of Statutes; now, therefore,  
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36 BE IT RESOLVED by the Senate of the Twenty-fifth  
37 Legislature of the State of Hawaii, Regular Session of 2010,  
38 that the Legislative Reference Bureau is requested to convene a  
39 working group, with the participation of the legislative  
40 drafting agencies, to consider changes to the current Drafting  
41 Manual, and to incorporate desired changes into a revised and  
42 updated draft of the Drafting Manual; and  
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1 BE IT FURTHER RESOLVED that the Legislative Reference  
2 Bureau is requested to invite representatives from the following  
3 legislative drafting agencies to participate in the working  
4 group and to work together on the updated Drafting Manual:

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- 6 (1) The Senate Majority Research Office;
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- 8 (2) The Senate Minority Research Office;
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- 10 (3) The House Majority Staff Office; and
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- 12 (4) The House Minority Research Office; and
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14 BE IT FURTHER RESOLVED that the Legislative Reference  
15 Bureau is requested to submit a report to the Legislature, no  
16 later than November 30, 2010, together with its draft of the  
17 updated Drafting Manual; and

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19 BE IT FURTHER RESOLVED that certified copies of this  
20 Resolution be transmitted to the President of the Senate,  
21 Speaker of the House of Representatives, the Director of the  
22 Legislative Reference Bureau, the Director of the Senate  
23 Majority Research Office, the Director of the Senate Minority  
24 Research Office, the Director of the House Majority Staff  
25 Office, and the Director of the House Minority Research Office.

