
SENATE RESOLUTION

REQUESTING ALL PROPONENTS OF LEGISLATIVE MEASURES, INCLUDING GOVERNMENTAL AGENCIES AND THE LEGISLATURE, TO ADHERE TO THE HAWAII LEGISLATIVE DRAFTING MANUAL WHEN DRAFTING OR AMENDING MEASURES FOR PURPOSES OF CONSISTENCY AND STYLE.

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 in order to conform the style of the act to the Hawaii
18 Revised Statutes; and
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20 WHEREAS, these style rules, which are now incorporated into
21 the Drafting Manual, were 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 now, therefore,
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29 BE IT RESOLVED by the Senate of the Twenty-fifth
30 Legislature of the State of Hawaii, Regular Session of 2010,
31 that all proponents of legislative measures, including
32 governmental agencies and the Legislature, are requested to
33 adhere to the current Drafting Manual published by the
34 Legislative Reference Bureau when proposing, drafting, or
35 amending bills or resolutions, in order to assure that the
36 measures considered are consistent in style, while allowing the
37 Legislature to devote more time and resources to addressing the
38 substantive legal and social issues within these measures; and
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40 BE IT FURTHER RESOLVED that certified copies of this
41 Resolution be transmitted to the President of the Senate,
42 Speaker of the House of Representatives, the Director of the
43 Legislative Reference Bureau, the Attorney General, the Chief



- 1 Justice of the Hawai'i Supreme Court, the Chairperson of the
- 2 Board of Trustees of the Office of Hawaiian Affairs, and the
- 3 Mayors and Council Chairs of the respective counties.

