
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION THAT REQUIRES PUBLIC HEARINGS, AND NOTICES OF THOSE HEARINGS, FOR BILL DRAFTS THAT AMEND THE ORIGINAL PURPOSE OF A BILL.

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

1 SECTION 1. The legislature finds that sixty-day sessions
2 save taxpayers money, and limit the need to hire year-round
3 staff that may otherwise be necessary.

4 Given these time constraints, however, the temptation
5 exists for legislators to drastically replace the contents of
6 bills with very different language. Such a practice is not
7 inconsistent with current constitutional law, which merely
8 requires that the title of a legislative bill cannot
9 substantively change. This practice, however, can lead to
10 confusion. For example, a bill about taxes may turn into a bill
11 promoting gambling.

12 Section 3-202 of the charter of the city and county of
13 Honolulu requires that "No bill shall be so amended as to change
14 its original purpose". This requirement makes sense for the
15 Honolulu city council, which meets year-round. The requirement
16 as written, however, is impractical for the state legislature.



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1 SECTION 3. The question to be printed on the ballot shall
 2 be as follows: "Shall an amended draft of a legislative bill
 3 that changes the original purpose of the bill be subject to: (1)
 4 a hearing where the public may submit comments; and (2) public
 5 notice of that hearing, to be issued at least forty-hours in
 6 advance of the hearing, provided that the forty-eight hour
 7 period shall exclude Sundays and state holidays?"

8 SECTION 4. Constitutional material to be repealed is
 9 bracketed and stricken. New constitutional material is
 10 underscored.

11 SECTION 5. This amendment shall take effect upon
 12 compliance with article XVII, section 3 of the Constitution of
 13 the State of Hawaii.

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H.B. NO. 1038

Report Title:

Constitution; Amendments to Bill Drafts; Hearings

Description:

Imposes a hearing requirement on every bill draft amendment that changes the original purpose of a bill. Requires a public hearing for such bills, and a forty-eight hour public notice of those hearings.

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