

JAN 18 2013

A BILL FOR AN ACT

RELATING TO LEGISLATIVE PROVISIONS.

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, including:
- 4 (1) Requiring each legislative house to conduct public
5 hearings on proposed rules prior to adoption;
- 6 (2) Requiring a majority vote to suspend a legislative
7 rule;
- 8 (3) Instituting a seventy-two hour public notice
9 requirement for public hearings to ensure reasonable
10 opportunity for public input and testimony on
11 legislation;
- 12 (4) Requiring that proposed amendments to a bill be
13 germane to the subject of the bill proposition,
14 section, or paragraph to be amended.
- 15 (5) Requiring that correspondence received by the
16 legislature or any of its single or joint committees
17 on a measure be considered as testimony on the
18 measure; and



1 (6) Requiring that all floor votes, except on first
2 reading, be printed on the order of the day before
3 consideration.

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

7 **"PART . LEGISLATIVE PROVISIONS**

8 **§92- Rules of the legislature.** After a public hearing,
9 each legislative house shall adopt official rules and policies
10 by a majority vote. A majority vote shall be taken before
11 suspending any legislative rule.

12 **§92- Public notice.** Public notice shall be provided
13 seventy-two hours before a public hearing. A public hearing
14 shall be conducted on all major substantive provisions in
15 legislation that is to be considered for adoption.

16 **§92- Amendments shall be germane.** Every amendment
17 proposed on a bill shall be germane to the subject of the
18 proposition, section, or paragraph to be amended.

19 **§92- Testimony.** All correspondence received by the
20 legislature or any of its single or joint committees on a
21 measure shall be considered as testimony on that measure.



1 §92- **Agenda and voting.** All items to be voted on by
2 each legislative house, except for first reading votes on bills,
3 shall be printed on the order of the day before consideration,
4 including votes to agree to amendments from the other house."

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

7 "**§92-10 Legislative branch; applicability.**
8 Notwithstanding any provisions contained in this chapter to the
9 contrary, open meeting requirements, and provisions regarding
10 enforcement, penalties, and sanctions, as they are to relate to
11 the state legislature or to any of its members shall be [~~such as~~
12 ~~shall be~~] as from time to time prescribed by the respective
13 rules and procedures of the senate and the house of
14 representatives, which rules and procedures shall take
15 precedence over this part [~~-~~], except as provided in part
16 of this chapter. Similarly, provisions relating to notice,
17 agenda and minutes of meetings, and [~~such~~] other requirements as
18 may be necessary, shall also be governed by the respective rules
19 and procedures of the senate and the house of representatives."

20 SECTION 4. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

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S.B. NO. 850

1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

Yee Chun Joe
Ross Puler



S.B. NO. 850

Report Title:

Sunshine Law; Legislative Requirements

Description:

Requires the legislature to follow fundamental principles of the sunshine law, including: conducting public hearings on legislative rules; requiring a majority vote to suspend legislative rules; giving a seventy-two hour public notice for public hearings; requiring proposed amendments on a bill to be germane to the text to be amended; requiring correspondence on measures to be considered testimony; and requiring the posting, on the order of the day, of votes by a house to agree to amendments made by the other house.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

