

PUBLIC ACCESS ROOM
A division of the Legislative Reference Bureau

NEWSLETTER

Hawaii State Capitol ♦ 415 South Beretania Street ♦ Room 401 ♦ Honolulu, Hawaii 96813

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2009 Legislative Timetable

April

- 16th Second Crossover (Bills) & Last day to disagree
17th First Crossover for Concurrent Resolutions
24th Constitutional Amendments: Deadline for final form
27th Second Crossover for Concurrent Resolutions
30th Last day to file Non-Fiscal Bills to deck for Final Reading

May

- 1st Last day to file Fiscal Bills to deck for Final Reading
7th Adjournment Sine Die

Governor's veto deadlines

Bills reaching Governor on or before April 21st: 10 days
Bills reaching Governor after April 21st: Intent to veto by June 29th; bills become law without signature if neither signed nor vetoed by July 14th

(see article on p.2 for more information)

Quote:

"Information is the currency of democracy."

- Thomas Jefferson

CONTACT US!

Public Access Room

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Maui.....984-2400, ext. 7-0478
Kaua'i.....274-3141, ext. 7-0478
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(Fax from these islands using ext. 7-0793)



Effective 2020?!?

Understanding 'Defective Dates'

It is not unusual for a bill to have its effective date (the date it becomes law) changed to a date far in the future, in order to "facilitate further discussion."

Such a so-called "defective date" (or "defective effective date") would not render the measure invalid if enacted, though it would prevent the measure from taking effect for a long time and may make parts of it ineffective or nonsensical.

The committee doesn't expect the bill to get enacted in this form - in fact, the committee report often explains that the reason for the change of the effective date is to "further discussion." How so? Say, for example, SB9999 SD2 has crossed over to the House with a 'defective date' of July 1, 2020.

- While the House could pass this bill without any changes, it wouldn't have any immediate effect.
• So, if the House wants to pass this bill and have it take effect sooner, they will have to change the effective date.

Here's how that stimulates discussion:

- If the bill that passes third reading in the House differs from the bill that passed third reading in the Senate (SD2 in this case), the Senate may disagree with the House's changes and the bill would go to a conference committee.
• In conference committee, not only the effective date, but other elements of the various drafts can be discussed and negotiated.

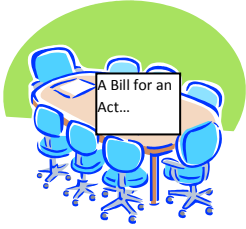
Read more about conference committees on page 2.

The PAZpourri Issue

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Conference Committees



How do they work? When do they meet? How do I find them?

You're interested in a bill that came through its non-originating chamber with a new draft. If the originating chamber disagrees with the changes made (which is not uncommon), a *conference committee* for that particular bill may be formed to resolve the differences between the Senate and House drafts.

- Procedures for this year's conference committees can be found by following a link on the left-hand side of the Legislature's homepage, www.capitol.hawaii.gov. You'll also find a list of room assignments there, arranged according to subject matter committees.
- Meetings are open to the public – they'll be posted with at least 24 hours' notice for the initial meetings, though they may recess and reconvene several times. Subsequent meetings may be set with shorter notice. No testimony is accepted and, except for the budget bills, no new subject matter should be inserted. You may find it helpful to attend the meetings in order to follow the discussions and to offer information, concerns and opinions if asked for by a conferee. (The public has had ample opportunities to testify during committee hearings. Conference, on the other hand, is the time when legislators work out compromises among themselves.)
- The bill's status sheet will be updated as its conferees are assigned and meetings scheduled.
- *Final decking* for non-fiscal bills is April 30. For fiscal bills, it's May 1. That means any conference draft or decision on final form must be delivered to the House and/or Senate clerks before then (place on the clerks' "decks," or desks). This allows the required 48-hour notice for final readings to take place on May 5th or May 7th ... the last two session days of the 2009 Regular Session. (Time flies!) [Note: *Fiscal bills* are those which received referrals to the Senate WAM committee and/or the House FIN committee.]

Governor's timelines to *sign* or VETO

What happens when the bill leaves the Legislature?

As we enter the final quarter of the [legislative session](#), all bills that have successfully passed through the House and Senate chambers will encounter one last set of deadlines as they are enrolled to the Governor.

- If legislation reaches her on or before Tuesday, April 21st (which is 10 days before the adjournment of the legislature *sine die*), the Governor has 10 days to sign the bill into law, let it become law without her signature, or veto it. Note that if the legislature is able to achieve a two-thirds majority vote in each chamber in favor of a vetoed measure, they would have time to override the governor's veto prior to adjournment.
- If the Governor receives the bill after April 21st, she has until June 29th to notify the legislature of her intent to veto, and the legislature, in turn, may override the veto if two-thirds of each chambers' members vote in favor of the bill's passage by July 14th (45 days after *sine die*). If Regular Session is pau, the Legislature would have to convene a special session to override a bill. If the Governor has neither vetoed nor signed a bill by July 14th, the bill becomes law without her signature.

For more information on bill veto procedures, check out the "[Walk Through Session](#)" guide located on the PAR homepage (<http://hawaii.gov/lrb/par>).

How'd they come up with these timelines?

What constitutes a 'day'?

Does the governor have line item veto on budget bills?

It's all spelled out in Article III, Section 16 of the Hawaii Constitution.

Want to find it in an easy-to-browse format? See the next page for a handy research tip.

Checking out the Source... How to Find the State Constitution Online


Hawaii State government is governed by the eighteen articles of the Constitution of the State of Hawaii. The document is often cited during the legislative session, and Article III specifically addresses how the Legislative Branch fulfills its roles. As the legislature may also propose amendments to the Constitution (subject to approval by the electorate), a number of bills suggesting changes to the document make it onto the legislative calendar each year.

Have you ever taken a look at Hawaii's Constitution? To find out precisely what the State Constitution says, there are two online sources of the text available via familiar sites.

- **Legislature's website:** www.capitol.hawaii.gov
Click on the "Hawaii Revised Statutes" link on the Capitol homepage and then select "Browse the HRS sections" to call up a volume listing. If you then click on the first volume "Vol01-Ch0001-0042F" and follow that by clicking on "[05-Const](#)" you will arrive at the directory listing the articles and sections of the State Constitution. Click on the first volume to see the table of contents, or proceed directly to the Article or section you're interested in. The Constitution is presented here one section at a time, with accompanying case notes and judicial opinions. To navigate easily, use the 'previous' and 'next' links at the bottom of the page.
- **Legislative Reference Bureau's (LRB's) website:** <http://hawaii.gov/lrb>
A more reader friendly version, where you can read through all of the sections in an Article on a single screen, is available through the "[Legislative Reference Bureau](#)" homepage. There's a quick link (found on the left-hand sidebar) to the entire text of the State Constitution – then select an Article and start reading. You can find the relevant case notes and judicial opinions of sections you're interested in simply by clicking on the corresponding section title that appears on the left of the screen as part of the Article outline.

Questions we've gotten at PAR...

"Can I have a look at the actual vote sheet?"

Committee member votes are posted on a measure's status sheet. What some may not know is that the actual vote sheet – where you can see the tally of committee member votes, as well as the committee's recommendation on the measure – is conveniently available at the end of the .pdf version  of the committee report (the "Record of Votes of the Committee"). While you'll have to scroll to the end of the document, it allows you to see at a glance how all the committee's members voted with their ayes or nays, and which members were excused (not present) for the vote.

Need help finding the committee report? Call or [email PAR](#), we'll be happy to point you in the right direction.

The Senate tries something new...
Online Video Archive
Preserves Senate Events that have been Broadcast



As part of a pilot project with 'Olelo Community Television, the Senate now offers 'on demand' viewing of its previously televised hearings, info briefings and floor sessions via the "[Senate Webcasts](#)" link on the [Senate homepage](#). They're listed in roughly chronological order, starting with the most recent.



A nifty added attraction is being able to watch Senate events live – as they're being broadcast. Very handy if you're away from a television but want to keep abreast of what's going on.

The listings also offer links to the hearing agendas and MP3 audio downloads of the proceedings. If you know the name of the committee(s) and the hearing date, you can scan the list to check for availability for download. If you're not sure of the committee or date, there is a search bar option which uses key terms to identify the hearing.

Joint House and Senate events that were broadcast are not included in the project.

Suggestions? Challenges? Ideas?

The Public Access Room (PAR) is *the public's* office at the State Capitol. We'd love your input! The office is devoted to assisting people engaging in State legislative government, and is the first stop for Hawaii's citizens when conducting business at the Legislature. We are deeply non-partisan in order to best serve the needs of all who use our facilities and services.

How are we doing? Have ideas of how we can better assist you? We'd love to hear from you – by phone, email, letter, or just drop by for a chat.

Call:808/587-0478 (see p.1 for toll-free & TTY numbers)

Email:par@capitol.hawaii.gov

Write or Stop In:415 S. Beretania St., Room 401, Honolulu, HI 96813

Quote:



"A lot of people are afraid of heights. Not me, I'm afraid of widths."

- Steven Wright