

# A Participant's Guide: Walk through Session

*Learn about...*

*bills, deadlines, committees,  
testimony and so much more!*

*Excerpt from "A Participant's Guide  
to Hawaii State Legislative Process"*

*(January 2008),*

*A Public Access Room (PAR) Resource*

*The PAR is a division of the  
Legislative Reference Bureau (LRB),  
Hawaii State Legislature*

*Welcome to the Public Access Room (PAR), a division of the non-partisan Legislative Reference Bureau. We serve as your office at the Hawaii State Capitol, and strive to make Room 401 (fourth floor, mauka) a welcoming and resourceful place for you to work on legislative issues.*

*This guide is designed to help you, and your family, neighbors, friends and colleagues, participate in the State legislative process in Hawaii.*

*We hope you find it a useful resource tool. We know we haven't been able to cover everything. So please call, email or drop on by the office if you have any questions, suggestions or concerns. Your input will help us improve the services we provide to the public.*

*Mahalo.*

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## Walk through Session

In order to verse the reader in the legislative process, we'll 'walk through' it chronologically – starting with an idea or law you'd like to affect, and continuing through an entire session. (If you're interested in a particular phase or aspect of the session or process, a useful [index](#) appears at the end of this guide, which may lead you more directly to the information you're seeking.)

As we 'walk-through' the session, we'll explain the committee process, help you to decipher bills, present some of the other measures considered by the legislature, and provide an overview of the legislative milestones and deadlines that you'll want to keep up on.

If you've already learned your way around the process, and would now like to affect legislative process by running for office -- you may want to go to the [Office of Elections](http://www.hawaii.gov/elections) website (<http://www.hawaii.gov/elections>).

## PRE-SESSION

### IDENTIFY THE NEED FOR A MEASURE

At first glance this may seem obvious, but take time to consider the following. What are the existing laws on the issue? Would they be adequate if better enforced? Is there a certain aspect of the existing law that could be amended to correct the situation? Write down a summary of what you are proposing. In raw numbers, about 8% of the bills introduced each session become law in Hawaii. Take a step back to consider the end result of your legislation. Can the same result be obtained via a less cumbersome route? Are you sure that the proposal is within the jurisdiction of the State Legislature (as opposed to federal or county government)? Are there any steps that are missing? Have you determined the scope of the situation, so that you can provide background information to those you'll be asking to support your measure?

### Craft the idea

“If only we had a law that said....” What do you think the measure should achieve? How will it be funded? Implemented? Enforced? Who are the obvious allies and/or adversaries to such an approach?

While you may not be able to answer all of these questions before doing some research, these questions should be kept at the top of your mental list. By the time you’re ready to go forward with a proposal, you should be able to answer them concisely in order to garner support.

### Research the issue

You need to know what you’re talking about. There are numerous resources available to you. They include the proficient staff and research librarians at the

Use the [Archives!](#)

The Legislature’s website makes measures from past sessions available to you.

And the next section of this document (“How To...”) will give you tips on searching for measures by subject.

[Legislative Reference Bureau Library](#) (located on the chamber level). The library also maintains an excellent website (<http://www.hawaii.gov/lrb/library.html>) with an online library of resources. The [State Archives](#) may also be helpful to you, as it is the depository of records from public hearings in past years – including written testimony received. The staff of the PAR is also available to assist you as you navigate websites, develop a research strategy, and consider proposed routes of

implementation. Talk to others who are interested in the same or similar issues, and benefit from their experience, research and ideas. Whether or not they agree with your proposal, the background information their organizations can provide may prove invaluable and can add credibility to your presentation.

### Determine How Much You’re Willing to Devote to the Cause

Perhaps this should really be the first in the list. Be realistic about the amount of time, effort and resources you’re able and willing to devote to your legislative activities. Find others who can help to share the effort, and remember that

persistence pays off. Many successful measures moved forward slowly, gaining support over several years' time.

## CONTACT KEY LEGISLATORS AND IDENTIFY PROPOSED INTRODUCER(S)

Present the proposal to a legislator. Your own is a good first choice. Also recommended are chairs and members of a committee which covers the subject area of your measure.

Lawmakers may be permitted to "pre-file" proposed legislation before the session officially begins.

Rules regarding pre-filing are issued by the leadership in each chamber, usually in November or December of the preceding year. While procedures may vary, such pre-filing may allow the clerks' offices to assign bill numbers, and proceed with publication of the measures to members and the public prior to the actual start of session. As a result, as soon as session begins, members may be prepared to take formal action on such measures. Such expedited procedures are designed to help with the large amount of legislation that is introduced and needs to be reviewed at the beginning of each session.

You will want to make an appointment to meet with the legislator to discuss the general idea and see if he or she is in any way supportive. If so, you may then suggest following up the meeting with additional information and specific proposals.

Unless requested, rather than attempting to provide a first draft of legislation yourself, it's preferable simply to provide key points and references to the legislator.

The legislator turns to the drafting agencies, which are familiar with Hawaii law and the format that is required for proposed legislation.

If the legislator has agreed to introduce your measure, ask how you can best assist the effort. Should you contact other legislators to see if they would be willing to sign on to the measure? Conduct further research? Find others in the community willing to testify in support of the measure? Ask what your next step should be.

In seeking a legislator to introduce legislation for you, try to learn from each attempt. In some instances, a legislator may decline the opportunity to introduce your bill because of bill introduction limits that may be set by leadership. If you

receive a firm “no,” that legislator may be able to let you know who in the chamber might also be opposed, and who might be supportive. Remember that every objection helps you to frame your arguments for the measure – knowing your opposition is an important step to winning support. Thank the legislator for his or her time, and remember that those who oppose your stance today may be your supporters tomorrow.

### List key points

Legislators are busy, and they’ve got enormous amounts of information to digest. You’ll win points if you’re able to list the key elements of your proposal – why it’s needed, what it does, why it’s a good solution and how to answer expected criticisms. Be candid about its downsides. You can then meet with legislators, describe your proposal, and leave them with notes that can be incorporated into a bill draft. They in turn can use your list of key points to explain the merits of your proposal to potential supporters.

### Garnering support

Here are three words we stress in providing tips on effectively affecting legislation: **communication, deadlines and persistence.**

## **COMMUNICATION**

Find individuals and other groups who may be interested in your issue, and encourage them to get involved. While interest groups may offer obvious sources of collaboration in your area, don’t overlook the support you can find just by introducing the subject to individuals. How many times have you heard someone say, “if only I’d known!” in response to a reported legislative activity? Often, it’s because many of the legislative issues and measures appear in the media only after an action has taken place. By providing information, you’re

We can’t stress this enough – if you are communicating about legislation after it has been introduced, it is **immensely helpful** to refer to it by number. If you need assistance on this, give us a call at the Public Access Room or see the “How To” section for tips on searching for bills online.

offering others the opportunity to take action and influence the outcome before it's a done deal.

While you may be fortunate enough to have time for face-to-face communication with key legislators, it's more likely that you'll need to be able to rely on other forms of communication as well. Letters may be delivered or mailed, or they may be emailed; addresses for legislators are available from numerous sources, including the Public Access Room. When encouraging others to communicate, ask them to personalize the message – it's much more effective than a form letter. If you have a group that wishes to present a singular statement, you may want to consider drafting a petition to be signed and delivered to key legislators.

Remember that communication is a two-way street. If a legislator or colleague questions an aspect of your proposal or the information presented, do your best to respond effectively. You may be providing answers to the same questions that the legislator will in turn be asked should he or she agree to sponsor your measure. Diligence in providing accurate and timely information is well regarded at the Capitol, where the volume and pace of decision-making can be a challenge. It is perfectly acceptable, and appreciated, to answer honestly with an, "I don't know the answer to that. Let me look into it and get back to you."

If I'm trying to influence my Senator or Representative, does that make me a lobbyist?

Well, you are lobbying, but not as a professional unless you meet certain specified criteria, usually based on the payment or other consideration you receive for doing what you're doing, and the number of hours you spend doing it. If you have any questions, see Section 97-1, HRS, or visit the [Hawaii State Ethics Commission](http://www.state.hi.us/ethics/) website ([www.state.hi.us/ethics/](http://www.state.hi.us/ethics/)).

### Deadlines

Deadlines drive the action and run the legislators' world during session. If you want to contribute effectively, you'll need to know and respect them as well. Key deadlines for legislation can be found on the [Legislative Calendar](#). Note that while posted dates refer to specific deadlines for actions to occur (such as bills to

be introduced or legislation to pass out of committee) – you may need to press for important steps leading up to those deadlines.

### Persistence

Persistence is key. While “no” may be the answer to your first approach for support, remember that it is not unusual for a measure to be introduced repeatedly before becoming law. Attempt to discern and understand objections so that you may address them specifically and directly. Consider whether collaboration or compromise may provide an avenue for success without jeopardizing your key goals.

When considering what to measure as a “success,” remember that most bills don’t become law. For example, during the Twenty-Second Legislature (2003 Regular Session, 2003 Special Session and 2004 Regular Session), 5,938 bills were introduced and, of those, 464 became law. That means that 92.2% of the bills introduced “failed,” even though they may have succeeded in furthering discussion on an issue, influencing other legislation or serving to educate legislators and the public.

Setting both short and long-term goals in terms of your issue may help you and your colleagues to appreciate the successes you achieve as you interact with the Legislature. Recognition of the progress achieved may help to maintain the determination and persistence needed to further your agenda.

**GET TO KNOW THE HAWAII STATE LEGISLATURE WEBSITE  
([HTTP://WWW.CAPITOL.HAWAII.GOV](http://www.capitol.hawaii.gov))**

You’ll be using the Hawaii State Legislature website quite a lot during the session. Become familiar with it. It has huge amounts of easily accessed information. The PAR staff will be happy to guide you through the process in an [Internet Resources Workshop](#). The PAR staff can be called upon for assistance as you work on a computer at home or in the office.

## ***When is Opening Day?***

The Hawaii State Constitution specifies that opening day of the regular legislative session will be the third Wednesday in January, and that the legislature will convene at 10:00 a.m. ([Article III, Section 10](#))

## **OPENING DAY**

Pick up a legislative calendar, so that you are aware of deadlines as you speak with legislators and colleagues.

Visit key legislators. Stop in and see your own lawmakers; lawmakers whose districts may be affected by your measure; and those on committees that may take up your measure. Opening Day is not the best day for meetings, but it is a good time to remind legislators of your presence, previous conversations and your goals for the session.

Opening Day is a great opportunity to network. Keep your eyes and ears open for others who may be interested in your issue. Opening day is also a great opportunity to invite others you'd like to work with to come to the Capitol.

Entice them with the wonderful pupus and good cheer that abound!

To find out more about the Public Access Room and what we have to offer, see the appendix.

Don't forget to stop in and visit us at the Public Access Room in Room 401. We're sure to be serving our almost famous punch!

Difference between introduction and 1st reading.

A bill is introduced when it has been filed with the House or Senate Clerk. The Clerk then puts it on the calendar for First Reading by the chamber. A floor vote in the chamber determines whether the bill will proceed.

You may see newspaper stories that present passage of first reading as an indication that the bill has legislative support, *but in practice, most bills introduced pass First Reading. In the Senate, rules state that all bills introduced shall pass First Reading.*

# **BILL INTRODUCTION AND AN OVERVIEW OF LEGISLATIVE MEASURES**

## **WHO CAN INTRODUCE A BILL?**

Only legislators can introduce bills and resolutions. Any other official or citizen must find a State Senator or Representative to introduce a piece of legislation. The bill may be introduced by request (BR); this indicates that the measure did not originate in the legislator's office and may or may not have full support. When the Governor's package of administration bills is considered, it is formally introduced by either the Speaker of the House of Representatives or the Senate President or both (if they are to be companion bills).

**It is tempting to find numerous legislators to introduce your measure – be careful here, however, as it duplicates efforts on the part of legislators.**

Additionally, it may complicate future communication if a legislator who thought he or she was being asked to spearhead a measure discovers that numerous others have been asked to do the same. Instead, consider asking one legislator in each chamber to introduce your measure and ask others for their support. If either or both of the lead legislators is unable or unwilling to move forward, let them know that you've found other legislators to introduce the measure – thank them for their efforts, and ask if they'd like to sign on in support. Communicate! Ask the lead legislator how you can help to move things forward. They are attuned to alliances

During the 1984 General Election, voters approved a proposal to delete a constitutional requirement mandating the cutoff date for bill introduction to be after the 19th day of the session. As a result, the Legislature now has the flexibility to establish the deadline for introducing bills.

and disputes that form among members – use their expertise, and offer your assistance.

## **KNOW THE CUT-OFF DATES**

Deadlines, deadlines, deadlines! They seem to run the place. The legislative calendar will indicate the cut-off dates for bill, resolution and constitutional

amendment introduction. Allow time for the legislator to review your measure, address concerns, finalize it for introduction and possibly garner signatures from colleagues. Despite the best of intentions, a legislator may not be able to introduce your bill. Give yourself enough time to be able to find another sponsor.

### **HAVE A “PLAN B” IF YOUR MEASURE IS NOT INTRODUCED**

There are numerous options available even if your measure is not introduced. First, consider that in the attempt to get someone to introduce it, you’ve probably at least gotten your idea on their radar screens. If possible, sit down and consider why the measure failed to be picked up, and see if you can draft a ‘plan b’ for the session. For example, the measure involves a new idea or complex change. It may be enough of a challenge this session to get legislators to ‘own’ the idea – understand it, be able to talk about it, see how it fits in with his or her other agendas. Or, perhaps the measure was calling for more than the legislator felt had a chance of passage.

Another strategy is to consider what you feel is the most important aspect of the legislation and attempt to influence its inclusion in another measure. To do this, you may want to consult colleagues or others promoting legislation in the same area. Even if you don’t agree with all aspects of a measure, you can ask a legislator to include something you do agree with.

Finally, short form bills – essentially, bills that simply have a title and broad description (such as “relating to education”) – are introduced and pass first reading, and then are available to be substantially amended. They provide an avenue for new, late or repeated introduction of measures.

### **RESOLUTIONS**

You may want to ask a legislator to convert some aspect of the bill to a resolution. Resolutions have a later cutoff date than bills, so you may still have time to alter your game plan. You can then focus on using your testimony to educate

legislators this session and work on gaining a support base for reintroduction of the measure next year.

**What's the difference between a bill and a resolution?** Resolutions are printed and distributed like bills, and get referred to committees like bills do – but in addition to a different timetable than bills, there are some fundamental differences as outlined in the following chart.

<b>DIFFERENCES</b>	
<b><u>Bill</u></b>	<b><u>Resolution</u></b>
Enacts law.	Does not have force of law, and can not make anyone do anything. Resolutions are used by the legislature or a single chamber to state its official position on an issue or to request formal action.
If not vetoed, can carryover from the first year of the <i>biennium</i> to the second.	Can not carryover from one session to the next.
All bills must pass 3 readings in each chamber.	Concurrent resolutions have to pass 1 reading in each chamber.  Simple resolutions (also known as “single chamber resolutions”) do not cross over to the other chamber for approval – they must pass 1 reading in their originating chamber only.
Prefixes: SB = Senate Bill HB = House Bill	Prefixes: HCR = House Concurrent Resolution SCR = Senate Concurrent Resolution  HR = House Resolution SR = Senate Resolution
Once passed by the legislature, bills are enrolled to the Governor.	Resolutions are not enrolled to the Governor. Upon adoption, resolutions are transmitted to the individuals, officers, agencies or other concerned parties cited in the resolution.

## **CEREMONIAL MESSAGES**

Legislators may initiate or endorse ceremonial messages, also referred to as certificates. These messages may congratulate, commemorate or otherwise recognize constituents or organizations for laudable actions or achievements. Since certificates do not require floor action, they are individually prepared and presented to the person or organization cited.

## **GOVERNOR'S MESSAGES**

Other measures you may encounter at the legislature include Governor's Messages (also referred to as GMs). Governor's Messages considered by the Senate include messages conveying Governor's and judicial nominees for appointment to courts, executive departments and boards. The Legislature's role in consenting to such appointees is outlined in the Constitution ([Article VI, Section 3](#)).

Other Governor's Messages to the legislature may convey departmental reports and the governor's action and views on enrolled legislation. Governor's Messages are in the form of a letter from the Governor to the Senate President and members of the Senate.

## **DECIPHERING A BILL**

Before you know it, you'll become familiar with the format of bills, and will be able to find the information you're looking for quickly. At first glance, though, it may seem a bit overwhelming. Remember that there are distinct parts to a bill – knowing where they are and what they do will help you decipher the legislation more quickly.

### Bill number

While at first glance the bill and draft numbers may look long and confusing, once you know what they stand for and how they're assigned, you'll find the

numbering system is actually pretty helpful. Here's how the bill number and draft numbers are assigned by the Clerk's office in each chamber.

A bill is abbreviated by either:

HB for House Bill if it originated (was first introduced) in the House

SB for Senate Bill if it originated in the Senate

The Clerk's office of the chamber of origin then assigns a bill number to each bill introduced, usually in the order in which it was received. The HB or SB designation, and the bill number assigned, remains unchanged during the bill's path through the legislature. Don't get confused by which chamber is considering it – the HB or SB designation simply refers to where the bill was “born.” It stays the same throughout the two-year biennial session in which it was introduced – *if the bill itself is revised, that's noted by the Clerks' offices by assigning a new draft number.*

Draft designations are added as the bill proceeds, clearly noting the number of times the bill has been revised in each chamber. These designations are critical, as changes from one draft to the next can be substantial. When referring to a ‘bill number’ always include the draft designations. Otherwise, immense confusion can result and you may find yourself talking about a different piece of paper than everyone else!

If a bill is amended (changed) by a House committee or on the House floor, the House Clerk will add a House Draft (HD) number to the amended bill's number. If it's the first time the House has changed the bill, the House Draft will be designated as HD1. If it is the second change made by a House committee or on the House floor, the bill number will be annotated with HD2. And so on, changing the HD number for each subsequent revision.

Likewise, if a bill is amended (changed) by a Senate committee or on the Senate floor, the Senate Clerk will add a Senate Draft (SD) number to the amended bill's number (SD1, SD2, etc.).

Finally, if the bill is amended by a Conference Committee, the Clerks' offices will assign a Conference Draft (CD) number indicating the number of times it has been amended by a Conference Committee.

Here's an example of a bill number that reflects numerous changes:

**HB19 HD2 SD2 CD1**

From looking at the bill number, we see that this document originated in the House (HB = House Bill) as HB19.

It was then changed twice (HD2 = House Draft #2) before crossing over to be considered by the Senate.

As it passed through the Senate, it was also changed twice (SD2 = Senate Draft #2).

In order for both chambers to agree on the final form of the bill, a Conference Committee was convened, and the Conference Committee changed the bill once again (CD1 = Conference Draft #1).

### Title

“A Bill For An Act Relating To Emergency Health Powers” ... The “bill for an act” phrase is an accurate description of the document. If the bill passes the Legislature and becomes law, it becomes an “act” of law and receives an “act number.” In fact, the Constitution of the State of Hawaii specifies that every law enacted must be introduced in the Legislature in the form of a bill ([Article III, Section 14](#)). The title of the bill must encompass the entire subject matter contained in the bill. It is not changed or amended as the bill moves forward. The title is often intentionally broad to allow leeway for changes in the bill's content during the course of the session. (In contrast, resolution titles can and do change.)

In searching for bills online, remember that searching titles may be a fast way to find measures, but they may also use different keywords than the text (for example, may use the words ‘education reform’ rather than ‘student to teacher ratio’). See the “Step-by-Step” section for tips on searching.

## Sections

Bills are divided into sections. The first section may be a purpose section, which states the purpose of the bill and may describe the situation or problem that gives

Why have sunset clauses?  
Lawmakers may add a provision to cease implementing a program or agency on a certain date, so that the issue will need to be reconsidered and a new authorization received for the program or agency to continue. In essence, the bill presents a date or time that implementation will stop.

rise to the measure, or describe the need for and intent of the legislation. Sections may specify the action mandated by the legislation, including clear instructions for changes to the Hawaii Revised Statutes. They may also provide definitions of terms, provide remedies and penalties, and specify how long the legislation will be in effect. Some bills will contain a severability clause that instructs

the court that if one section of the act is found unconstitutional, the remainder of the act will remain intact.

## 2<sup>nd</sup> to the last Section

If the bill provides for changes in statutory or constitutional material, the second to the last section typically will be the Ramsayer provision. This section explains that in the previous sections of the bill, all statutory material that is to be added is underlined, and all statutory material that is to be *repealed* is bracketed and stricken [~~like this~~]. (This ensures that if the bill is enacted there will be no confusion as to how the Hawaii Revised Statutes or state Constitution is amended.)

## Last Section

The last section of the bill will provide the effective date, the date the law will take effect. This may be a specific date, or may read: “This Act shall take effect upon its approval.” In some cases, more than one effective date will be provided – for example, the act will take effect on one date, provided that section 3 will take effect on another date.

Note: So-called “defective dates” (a shorthand, though technically incorrect term, used to describe far future effective dates, such as "effective 2099") are

sometimes used in order to facilitate further discussion. A so-called “defective date” does not render the measure invalid if enacted. It simply prevents the measure from taking effect for a long time.

### Introduced by

On the original (un-amended) bills obtained from the respective print shops and viewed online in their .pdf formats, primary introducers’ signatures are underlined. Other names are legislators who have co-sponsored the bill – they have signed on in support of the measure’s introduction. (Note: Online, the .html

#### ***Who signed this thing?***

Deciphering the signatures on a bill is not always a simple task. You can come in to or call the Public Access Room, and we’ll be happy to help you – there are copies of signatures on file in the room. Or, you can look at the bill’s Status Report online – it will list the primary introducers in ALL CAPITOL LETTERS and those who signed on in support will be listed in Upper and Lower case.

versions of bills, while identical in content to the .pdf and printed versions, do not show introducers’ names.) On amended bills, the original introducers and supporters are *not* indicated.

### Report Title

The report title lists key words or phrases covered in the bill. It is useful primarily as a searching tool.

### Description

The description of a bill reflects the content of the most recent draft. While a change in the description may be your first indication of how a bill has been changed, the fact that the description remains unchanged does not necessarily mean that the body of the bill remains unchanged as well. The easiest way to discover what has been changed on a measure is to read the committee report. To understand exactly what has changed, nothing works like examining the two documents side-by-side.

## GETTING COPIES OF BILLS

There are essentially two ways to obtain copies of measures – from the print shops or online.

During session, bills, resolutions and committee reports are available from the House and Senate Print Shops, located on the Chamber level of the Capitol. Senate bills (all drafts) may be obtained from the Senate Print Shop and House bills (all drafts) may be obtained from the House Print Shop. (During Interim, bills are available from the House and Senate Clerks' offices.)

### ***Can I get a copy online that looks just like the one I get at the print shop?***

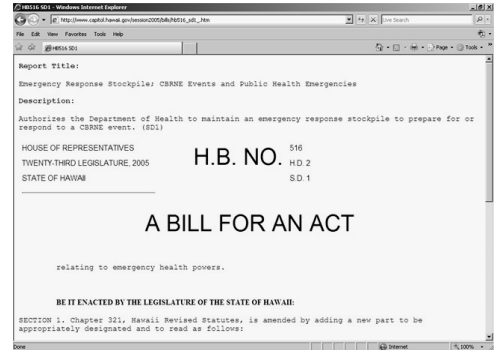
With the 2006 session, the data systems office began posting both an Adobe Acrobat (.pdf) and a web version (.html) of introduced measures. Both versions are identical in substance with the printed version of the measures.

The .pdf version, being a 'snapshot' of the printed bill, shows the exact printed format, pagination, and signatures. This can come in handy when discussing the bill with someone remotely, or when attempting to follow recommended amendments during a committee hearing.

As soon as a measure or a new draft has been filed, it is posted on the Hawaii State Legislature's website. Bills, resolutions, proposed constitutional amendments, and reports on the status of these measures can be found online on the site's "[Bill Status and Documents](#)" page. (See [Section IV](#) for step-by-step instructions on accessing these documents online.) The best way to discover if a measure's latest draft has been filed, or to discover the full name (including draft suffixes) of the most current draft, is to pull up a Bill Status Report, which shows the latest version's name as its headline.

## DIFFERENCES BETWEEN THE WEB VERSION (.HTML) OF A BILL AND THE PRINTSHOP (AND .PDF) FORMAT

When you look at a bill in its web version (.html) online, while the text is identical with the .pdf version or the copy you would pick up at one of the Capitol's print shops, there are a few key differences.



1. The .html version has the report title and description at the beginning of the document (the printed version has this information as a last page). You'll find that this comes in handy when you're online and browsing a number of documents.
2. The .html version does not have line numbers, and its pagination (page breaks and page numbers) may not match the official copy from the print shop. If you will be discussing a bill with a legislator or colleagues, or will be testifying on a measure, it may be helpful to be able to refer to specific page and line numbers...consider referring to the .pdf version or picking up an official copy at the print shop.
3. The .html version does not show the signatures of the bill's introducers and co-sponsors. This information may be obtained by looking at the bill's online status report. (While the .pdf and printed copy of the original introduced bill do show the signatures, they may be indecipherable and you may be unable to tell who they belong to... in which case, you may look at the online status report or call or come by PAR, where we've got the 'code sheet' for translating signatures.)

## COMPANION BILLS AND IDENTICAL BILLS

At times identical bills will be introduced in the House and the Senate and are identified as companion bills by the respective Clerks' offices. They are

introduced into both chambers to increase the odds of passage – if one gets bogged down or stalls in committee, the other can still proceed. The online bill status report will make note of any companion bill numbers. This makes it easy to look up a bill’s “twin” to see how it’s progressing. Only one of the bills needs to succeed – usually the Senator and Representative who introduced the bills keep in contact so that they can determine when and if to abandon one of the bills in favor of the other.

It’s important to keep in mind that if you’re tracking a bill’s progress, you will want to track its companion’s progress, too. If a bill has a companion, it will be noted in the header of the bill status sheet – the notation stays there even if the bills are no longer the same.

A bill without a formal companion can still be identical to others introduced. No companion bill numbers will appear on the bill status report. Either the bills were not identified as companion bills when they were filed with the Clerks’ offices, or the identical bill was introduced in the same chamber. (This may be the result of an outside entity asking multiple legislators to support a measure that has already been drafted – see cautions noted [near the beginning of this section](#)). No indication of the similarity of such measures will appear on the status report. *To find duplicate legislation, you can ask the clerk or chair/vice chair of the subject matter standing committee to which the measure was referred. You can also use the search functions, or read through the bills introduced and investigate measures with the same or similar titles.* Bills using much different language may be introduced in attempts to implement the same result.

### **SHORT-FORM BILLS**

House and Senate Rules specify which members are given the prerogative of introducing ‘placer’ or short-form bills. Such a measure will have a broad title, a simple description and an enactment clause. It is introduced in order to have a vehicle to fill in substantive content later, if needed. Short-form bills may be introduced when:

- Language for a proposed piece of legislation has not been finalized prior to the bill introduction deadline;
- Foresee usefulness of an avenue for new solutions to be introduced; or
- Foresee usefulness of an avenue for a second chance for a measure that has failed to move forward.

### **BUDGET BILLS**

The bills serving as mechanisms for passage of the State budget are treated differently than other measures. Budget bills (such as those addressing the Legislative, Judicial, or Office of Hawaiian Affairs budgets, for example) even operate under a different timetable than other measures, with later filing deadlines and extensive informational briefings.

The staff assisting the House Finance Committee and the Senate Ways and Means Committee (often referred to as “the money committees”) may be able to assist you with particular questions about budget line items, procedures and status.

As the session progresses, helpful information and worksheets regarding the budget bills are usually posted on the State Legislature website. Call us at the Public Access Room (587-0478) if you need assistance in finding the links.

Organizations applying for State Grants-in-Aid must submit appropriate application documents to the money committees by the deadline set by the Speaker of the House and President of the Senate (traditionally, the deadline has been near the end of January). The status of a particular Grant-in-Aid request is not able to be determined until the publication of the conference draft of the budget bill. For more information on applying for a Grant-in-Aid, and frequently asked questions, please see the [Grant-in-Aid](#) page (under [Legislative Information](#)) on the [Legislature’s website](#).

## **PROPOSED AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAI‘I**

Another type of measure that may be considered by the Legislature is a proposed amendment to the Constitution of the State of Hawai‘i, and the title of such a bill must reflect its proposal to amend the Constitution. A proposed amendment initially follows much the same process as other proposed bills, but to be adopted it must pass 2/3 of each house on final reading at any session, and at least ten days prior to that it must have been given to the governor in written notice as to its final form. (Alternately, a majority vote on final reading of each chamber at each of two successive sessions allows the proposed amendment to be adopted, regardless of notice having been given to the governor.)

All legislators’ final reading votes are entered in the appropriate House or Senate journal, and the proposed amendment is published in general circulation newspapers for at least four weeks in the two months right before the next general election.

Once adopted by the Legislature, the proposed amendment needs to be submitted to the voters for ultimate decision. The process for submitting proposed amendments to the electorate is provided for in [Article XVII, Section III](#) of the [Constitution of the State of Hawai‘i](#).

The proposed amendments will be presented on the ballot as a question, with votes cast answering YES or NO. At least thirty days prior to the election, full text of the proposed amendments must be made available for public inspection at every public library, office of the clerk of each county, and the chief election officer. The full text of any proposed amendments shall also be made available for inspection at every polling place on the day of the election at which such amendments are submitted.

The revision or amendment will go into effect only if it is approved at a general election by a majority (at least 50%) of all the votes tallied upon the question (or,

at a special election, by a majority of all votes tallied upon the question as long as that majority makes up at least 30% of the total number of registered voters).

## **STANDING COMMITTEES AND PUBLIC HEARINGS**

After a bill is introduced and has passed first reading in a chamber, it is then referred to one or more of that chamber's standing committees. (For lists of current committees and their members, visit the PAR or go to the [House](#) and [Senate](#) pages of the State Legislature's website.) The bill must be heard (or at least have decision-making) by each of the committees it has been referred to, in the order listed.

Hearing notices are issued by the committees, advising legislators and the public of the date, time and location of a hearing, the measures being considered, and the protocol for submitting written testimony, if applicable.

### **COMMITTEE BASICS**

#### Roles of Chair, Vice Chair, Other members of Standing Committees

The Committee Chair reviews bills referred to the committee and selects those that will be scheduled for hearings.

A measure doesn't move out of a House committee without a public hearing. The Senate requires a single public hearing as the measure proceeds.

What can you do if no hearing's been scheduled for a measure you're interested in? Lobby the chair of the committee, and/or members of that committee. See if you can address their concerns. Let them know the issue is important to you. (You may want to contact your own representative or senator, too -- even if not on the committee, they may be able to provide advice, and may be willing to advocate with their colleagues on your behalf.)

The Vice Chair presides when the Chair is unavailable. Other roles of the Vice Chair vary depending on the chamber and on the chairperson's wishes.

Committee dynamics are a subject of much discussion by those observing the political process, and vary considerably among committees.

***Why do they call them 'standing' committees?***

The committees 'stand' (or remain as formed) throughout the biennium legislature (two regular sessions). They may hold informational briefings as well as hearings on bills, resolutions, and, for the Senate, Governor's nominees.

In contrast, Conference Committees are named during session for a particular purpose (to resolve the differences between two versions of a bill), and once that purpose is accomplished, the conference committee is dissolved (it no longer 'stands').

Deciphering committee referrals

Measures that have been introduced and passed first reading are referred to standing committees. These referrals are assigned by Senate leadership in the Senate, and by the Speaker in the House of Representatives. The committee referral for a particular measure indicates the standing committees that it must successfully pass through *in the order listed*.

Here, punctuation is important! There's a big difference between a comma (,) and a slash (/) – it's the difference between a multiple referral and a joint referral. What does this mean?

Multiple referral, committees shown with comma (,): ABC, XYZ

If a bill is referred to, say, the House committees of Health (HLT) and Education (EDN) and the referral is listed as "HLT, EDN", it's considered a multiple referral. The bill will be considered *first* by the Health committee, and *then*, if it passes that committee, by the Education committee.

Joint referral, committees shown with slash (/): ABC/XYZ

If, instead, a bill is referred to those same committees, but the referral appears with a slash, "HLT/EDN", it is considered a joint referral. The bill will be considered by the Health Committee *meeting jointly* with the Education Committee in *one* public hearing.

(Note: If a bill's referred to only one committee, it's said to have received a single referral.)

According to the State Constitution, all standing and conference committee meetings held for the purpose of making decisions on matters referred to the committee are open to the public. ([Article III, Section 12](#))

## **PUBLIC HEARINGS**

Public hearings are scheduled by standing committees in order to receive testimony on the legislation being considered, and to discuss the measures and proposed amendments. Generally, 72 hours notice is given prior to a measure's first public hearing in the Senate. All public hearings in the House, and all subsequent hearings in the Senate, are posted with at least 48 hours notice. (On rare occasions, these notice requirements are waived during floor sessions, and as a result you may find a hearing scheduled with very little notice. That's when subscribing to email hearing notices or being part of a larger network keeping tabs on legislative activity really comes in handy.) Hearings may be reconvened with little notice. Decision making takes place at the end of the hearing, or may be deferred to another date if time is short. A quorum of committee members must be present when a vote is taken.

During decision making, a legislator may vote to approve a measure (aye), vote to approve but with reservations (aye with reservations), vote against a measure (no), or be excused from the vote.

Note: Conference committees' hearings are posted with 24 hours notice. While conference committee hearings are public, no new material may be added to the legislation and no new testimony is heard. So why attend? First, to witness what occurs. But you may also be asked to provide valuable information or feedback if a legislator has come to trust your expertise on a matter.

If a public hearing was previously held by a Senate committee on a measure, subsequent committees are not required to hold one. In such instances, the public is welcome to submit written comments on measures, but the committee may meet and vote on measures without taking testimony in a public hearing.

Note: Some public hearings may be scheduled for broadcast on O'lelo and neighbor island stations – you can find out if a particular hearing is being broadcast by looking on the [Legislative Information](#) page of the Hawaii State Legislature website, or by contacting the PAR. The broadcast of a hearing is usually repeated at least once, to provide you an opportunity to record it.

### Hearing Notices

Hearing notices can be obtained several ways: from the Senate or House print shops or online (see the “[Step-by-Step](#)” section that immediately follows this section). The notices are also posted on the Chamber level bulletin boards.

When a hearing notice has been issued, the measure's Status Report is updated with that information. If you check a measure's Status routinely, this may be how you discover a hearing has been scheduled. You may find out by email, if you've signed up to receive notices for all the committee's scheduled hearings.

In any case, the information presented on the hearing notice includes:

- date and time of hearing
- location (room number) for the hearing
- name of the committee (or committees if it is a joint hearing) holding the hearing
- all the measures that are being heard
- instructions on presenting and/or submitting testimony

All public hearings in the House, *and all but the first public hearing on a measure in the Senate*, are posted with at least 48 hours notice. That said, please note that the notice requirement is sometimes waived on the floor – it pays to be prepared, and to keep your eyes and ears open.

## TESTIMONY

Testimony from citizens, organizations and lobbyists provides legislators with important information and unique viewpoints on the issues under consideration.

### Oral Testimony

Each committee develops its own procedures. When preparing your remarks, remember:

- Keep it short.
- Greet the committee, be courteous and professional.
- State your position (that is, state whether you are in support, in support with changes, or opposed) clearly at the outset.
- Highlight your key points.

Generally, try to avoid reading from the written testimony you've submitted. Instead use the time to emphasize its more important aspects. (If you do begin reading your submitted written testimony, you may be asked to stop, since time is usually at a premium and the committee members already have that information.)

### Written Testimony

The hearing notice will advise you of the deadline by which you must submit written testimony – typically, it is 24 hours in advance of the hearing. This allows the clerk for the committee adequate time to compile all of the testimony and distribute it to committee members for their reference and review.

Written testimony can be submitted according to instructions detailed on the hearing notice, or faxed to the number provided. **Do not submit your testimony more than once or in more than one form.** It only wastes time, and can frustrate or confuse committee clerks and legislators – you want to assist them, not frustrate them!

For tips and guidelines on preparing written testimony, visit the “Committee Testimony” chapter of the [Citizen’s Guide](#), found on the “[Legislative Information](#)” page of the [State Legislature website](#), [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov).

### Group Testimony

A few words on submitting group testimony may be helpful. While it’s temptingly easy to have all members of your group submit the exact same testimony, consider how much more of an impact the testimony would have if each member added even a short statement that indicated his or her personal views and considerations.

Instead of submitting identical testimony, consider having members of your group prepare and submit a petition with numerous signatures, or perhaps one piece of written testimony signed by a number of members. If you are unsure of which way to proceed, consider going to the legislator who introduced your measure and asking for guidance.

When urging members or colleagues to submit testimony, please be sure to provide them with accurate information. Make sure they know the bill number, the committee hearing the measure, the date and time of the hearing, and the deadline for submitting testimony. All of this information may be found on the hearing notice. If you have questions, don’t hesitate to call the Public Access Room (587-0478), and we’ll be happy to review the information with you. Once a hearing has been announced, you may be racing to prepare for it – be sure to take a moment to double-check your information, as it may save you and your colleagues from jeopardizing your voice being heard at all.

## **COMMITTEE ACTIONS**

### Committee Reports

If a committee passes a measure, a committee report is prepared. It is filed with the Clerk’s office and receives a report number. The report can be obtained from

the House or Senate print shops or on the web, as noted in the [section on finding information online](#).

The report itself is in the form of a letter from the Committee Chair to the President of the Senate or the Speaker of the House conveying the committee's decision. It presents a summary of the measure, generally outlines the testimony received, presents

TIP: If you're following a bill and notice it's been amended, the best way to get a quick snapshot of what's been changed is to read the committee report.

the committee's recommendation on whether the bill should go forward and, specifically, whether in original or amended form. If there were amendments to the measure, the changes to the measure are summarized.

When a bill is amended and reported out by a committee, it gains a new designation reflecting its draft number.

Committee  
Report Prefixes

**HSCR =**

House  
Standing  
Committee  
Report

**SSCR =**

Senate  
Standing  
Committee  
Report

**CCR =**

Conference  
Committee  
Report

If a measure has not been passed by committee, a committee report is rarely issued. The measure may simply "die in committee," usually meaning that it simply is not heard by the committee, and thus can not go forward. Or, a measure may be heard by the committee, but then "held" or "deferred" and no further action taken. A measure may also be voted down by a committee.

What's the difference between a measure being **held** and **deferred**?

A '**held**' bill is one that the committee has posted for hearing, but has decided to 'hold' back from advancement. While the committee could certainly reschedule the measure for hearing, this rarely occurs.

A '**deferred**' bill is one that the committee has posted for hearing, but has put off decision making to an undeclared future date – possibly 'killing' the bill.

Committee Members' Votes on a Measure

If you weren't able to be present when the committee voted, you can still find out how members voted on a particular measure. The "vote sheet" is recorded by the Chair and submitted to the Clerk. The bill's Status Report will record the date of the vote, and will list each member's name and their vote. If a member is absent,

the vote count may list that member as “excused.” A member may also “abstain” from a vote. For more information on committee votes, see the [House](#) and [Senate](#) Rules on the [State Legislature](#) website. In order to vote on a measure referred to it, according to House and Senate rules, a committee must have a quorum (a majority of the membership) present.

#### Other Committee Actions

Standing Committees may call for Informational Briefings, to which they may invite experts and interested parties to present information and background on a subject area central to pending or anticipated legislation. The committees may also schedule Decision-Making Hearings. For Decision-Making Hearings, since the measures have already been heard and testimony on them received, no new testimony is accepted. Instead, the Committee will discuss the merits of the measures based on testimony already received, and members will vote accordingly.

**If you know that a committee has recently taken action on a measure, and the status report of a measure has not been updated, what does that mean?**

It’s hard to tell, as a number of things may have occurred. It may be that the committee clerk and Chair have not submitted the paperwork yet. The Chair may be considering final wording of the Committee Report. Or, the drafting agency may be working with the Chair and committee members to appropriately amend the bill to reflect the changes voted for during the hearing. How do you find out what’s going on?

You may want to contact the Chair’s committee clerk. They can help you discover where the committee is in the process and, if possible, when the information is expected to be submitted and posted. Don’t forget that while it is frustrating when the information you are seeking is not available, you’re more likely to receive prompt assistance if you are courteous and respectful to the committee clerks and staff.

## **LEGISLATIVE MILESTONES AND DEADLINES**

Now that we've covered the basic components of bills and committees, let's take a look at the overall path of a bill through the Legislature, and then we'll walk through each of the major milestones or deadlines.

### Deadlines Dates

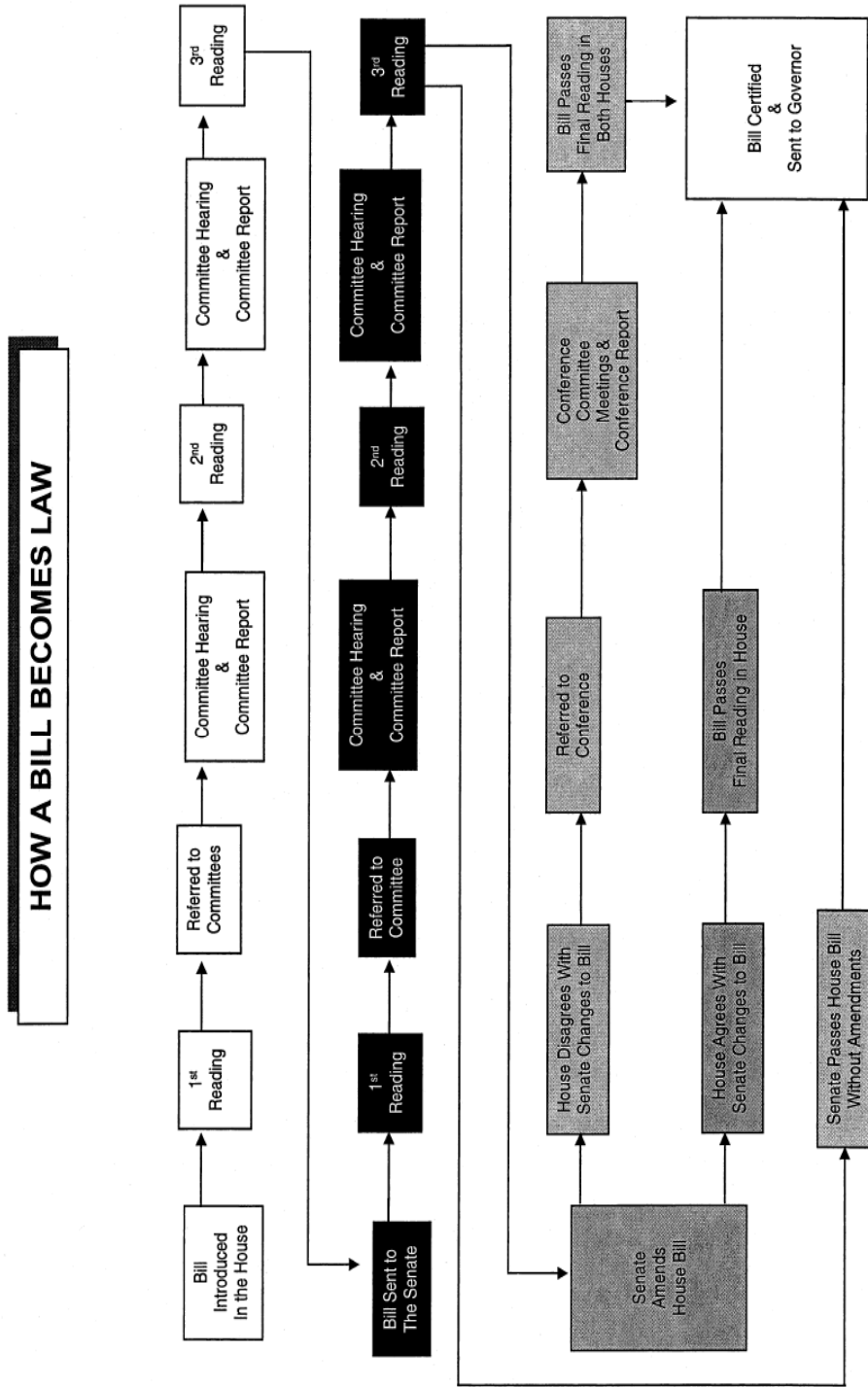
To find specific dates of deadlines for a session, refer to the Legislative Calendar available from either of the Print Shops or online on the [Public Access Room website](http://www.hawaii.gov/lrb/par/) (<http://www.hawaii.gov/lrb/par/>).

For lateral deadlines, contact the Public Access Room, House or Senate leadership.

## **DIAGRAM OF A BILL'S PATH THROUGH THE LEGISLATURE**

On the following page is a simplified diagram of a House bill's path through the Hawai'i State Legislature to become law. (A Senate bill's path would be the same, though with the chambers reversed.) As explained later in this section, the crucial element not shown in the diagram is the timetable of deadlines – a bill risks being left behind if deadlines are not met.

Note: Please keep in mind that this is a simple diagram designed to provide an overview of the process. Both Senate and House rules allow for exceptions to the simple path shown here.



## **2<sup>ND</sup> READING IN CHAMBER OF ORIGIN**

So, a bill has been introduced and has passed first reading, been referred to committees, and has made it through the first of its subject committees. The committee chair has authored a committee report to the presiding officer of his or her chamber (that is, to the Senate President or Speaker of the House) recommending the bill be presented (as originally presented, or as amended by the committee) to its next committee or to the floor for 2<sup>nd</sup> reading. A bill may visit more than one committee before returning to the floor for 2<sup>nd</sup> reading – it depends on its referrals.

All bills must pass, on three separate dates, three ‘readings’ or votes of the “committee as a whole” in each chamber. The 2<sup>nd</sup> reading for bills usually occurs prior to a bill’s moving into its last committee.

## **FIRST LATERAL**

The House and Senate set internal deadlines (not published on the official “legislative calendar”) for a bill’s movement through the committees to which it has been referred. These are called lateral deadlines and establish the date by which a bill must reach its last committee.

If a bill has received a single referral, the lateral deadline has no effect. However, if the bill has received multiple referrals, it must successfully pass out of and be reported to its last committee by the 1<sup>st</sup> lateral deadline. If it does not reach its last committee by the deadline, it is stopped from moving forward during the session. The number of pieces of potential legislation is effectively reduced by the implementation of such deadlines throughout the session.

## **MANDATORY 5-DAY RECESS**

The [Constitution of the State of Hawai‘i](#) mandates that the regular session of the Legislature be recessed (that is, not convene in session on the floor of each chamber) for at least five days at some time between the 20<sup>th</sup> and 40<sup>th</sup> days of the

regular session. The specific dates of the mandatory recess are determined by concurrent resolution. The recess allows time for legislators to consult with their constituents and colleagues.

The term “recess” sometimes misleads people. While *session* does not convene during this period, there’s certainly *a lot* of other activity at the Capitol. Attending caucus meetings, committee hearings, decision-making meetings, and consulting constituents, keep legislators and the public as busy as ever.

### **1<sup>ST</sup> DECKING**

The 1<sup>st</sup> decking deadline presents the time by which any amended bill that is to be considered for third reading must be submitted to the Clerk of the originating chamber. The bill is considered “decked” when it is accepted by the Clerk. The deadline is critical, as bills that have been amended are required to be delivered in their amended form to the chamber’s membership at least 48 hours (not the same thing as two session days!) prior to third reading.

### **3<sup>RD</sup> READING (IN ORIGINATING CHAMBER)**

The 3<sup>rd</sup> reading for bills occurs after a bill successfully moves out of its last committee. All bills must pass 3<sup>rd</sup> reading by the chamber as a whole, and they must do so before the **1<sup>st</sup> crossover deadline** in order to proceed to the other chamber for consideration. In other votes on a bill, a positive vote by the majority of the quorum (the members present) suffices. In the case of the final passage of a bill in each chamber, passage requires a positive vote by a majority of all the members to which the house is entitled. ([Article III, Section 13, Constitution of the State of Hawai‘i](#)). The 3<sup>rd</sup> Reading votes are taken by ayes and noes, and entered in the chamber’s journal.

## **FIRST CROSSOVER**

The first crossover deadline marks the point at which all bills that have passed third reading in the chamber of origin must ‘cross over’ to the other chamber for consideration. It is the last day for a final vote to be taken in the chamber of origin before a bill is passed on to the second chamber. At first crossover, all surviving House Bills move to the Senate, and surviving Senate Bills move to the House.

This major deadline is often referred to as simply, “first cross.” The bills surviving first cross will then proceed through the gauntlet of readings, referrals and deadlines once again – though this time Senate Bills (SB) will proceed through the House, and House Bills (HB) will move through the Senate.

Different deadlines apply for fiscal bills, non-fiscal bills, resolutions, substantive resolutions and constitutional amendments! We can’t emphasize this enough – mark your calendar, check it often. The session speeds along, and there’s nothing so frustrating as missing a deadline and having to wait another year for an opportunity.

## **1<sup>ST</sup> READING (IN NON-ORIGINATING CHAMBER)**

At 1<sup>st</sup> reading in the *non*-originating chamber, the bills are voted on by the receiving chamber acting as a “committee as a whole” and are then referred to committees. This time, Senate Bills (SB) will be referred to House committees, and House Bills (HB) to Senate committees. The committee structure is not identical between the chambers, and a bill may receive quite different referrals than in the chamber of origin. The new referrals will be noted on the bill’s Status Report.

## **SECOND LATERAL**

All bills with multiple referrals must make their way to their final committee in the non-originating chamber by the 2<sup>nd</sup> lateral deadline. This deadline is used for bills after they have “crossed over”.

**2<sup>ND</sup> READING (IN NON-ORIGINATING CHAMBER)**

Bills must pass three votes of the “committee as a whole” in the non-originating chamber. The second reading must be on a different day than the first or third reading.

**2<sup>ND</sup> DECKING**

The 2<sup>nd</sup> decking deadline presents the time by which any amended bill that is to be considered for third reading is submitted to the Clerk of the *non*-originating chamber. The bill is considered “decked” when it is accepted by the Clerk. Again, the deadline is critical, as bills that have been amended are required to be delivered in their amended form to the chamber’s membership at least 48 hours prior to third reading.

**3<sup>RD</sup> READING (IN NON-ORIGINATING CHAMBER)**

Bills must pass three readings in each chamber to successfully pass out of the Legislature. Passage on final reading requires majority support of all members of the chamber (as opposed to majority support of members constituting a quorum). If the bill has not been amended since crossing over to the non-originating chamber, once it passes third reading it has survived the legislative gauntlet. It will be returned to the Clerk of the originating chamber, certified, and enrolled to the Governor.

**IF AMENDED, SECOND CROSSOVER (TO ORIGINATING CHAMBER)**

If a bill has been amended while in the non-originating chamber, it must pass 3<sup>rd</sup> reading by the 2<sup>nd</sup> Crossover deadline in order to “cross back” to its home chamber. House Bills will move back to the House, and Senate Bills will move back to the Senate.

The originating body can either agree or disagree to the amendments made. If they agree to the amendments, then a vote by the entire body of the originating chamber is all that is required for passage from the Legislature and enrollment to the Governor.

## CONFERENCE COMMITTEES

If a measure has been amended by the non-originating chamber (an HB has been amended by the Senate, or an SB has been amended by the House), and the originating chamber disagrees with the amendments made, a conference committee is formed. In practice, for logistical reasons a ‘disagree’ statement is often generated by the originating chamber – as a result, the statement of disagreement should not necessarily be taken as an indication of strong objection to the other chamber’s amendments.

The conference committee’s function is to resolve the differences between the two versions. New material cannot be added to the measure, and while conference committee hearings are posted with 24 hours notice and open to the public, no further public testimony on the measure is accepted. So why attend? To learn what happens, and to be on hand should legislators wish to solicit information. You may be the one they turn to for your knowledge and expertise!

Senate and House leadership each appoint a lead chair, co-chairs and others to the conference committees, known as conferees. Usually, this will include a representative from each standing committee that the bill has passed through. Each session, Senate and House leadership agree on joint rules governing Conference Committee operations.

If the Conference Committee fails to come to agreement on a final version for the bill, the bill ‘dies.’

If the Conference Committee agrees on the previously amended version of the bill, the bill moves to the originating chamber for a final vote. (The non-

### **Thinking ahead...**

According to House rules, if a legislator votes against a measure at Third Reading, he or she will not be appointed to its Conference Committee, if the measure requires one. Consequently, if a legislator is in opposition to a measure, and he or she feels it will likely proceed to Conference Committee, the legislator may choose to vote ‘aye with reservations’ rather than against the measure. In this way, that person can still be eligible to serve on the conference committee – and can then attempt to have input on the bill’s final form, or prevent a final compromise from being reached.

originating chamber has already approved the amended version.) If successful, the bill is then enrolled to the Governor.

### **FINAL VOTE ON AMENDED BILLS**

If the Conference Committee amends the bill, the resulting conference draft (CD) must be voted on and passed by both chambers.

“A majority of the number of members to which each house is entitled shall constitute a quorum of such house for the conduct of ordinary business, of which quorum a majority vote shall suffice; but the final passage of a bill in each house shall require the vote of a majority of all the members to which such house is entitled, taken by ayes and noes and entered upon its journal.” (Article III, Section 13)

### **ADJOURNMENT *SINE DIE***

Adjournment on the last day of a regular or special legislative session is referred to as *sine die*. [This occurs on the 60<sup>th</sup> legislative day of a regular session.](#)

### **ENROLLING TO GOVERNOR**

Once a bill has passed the Legislature, its journey is not quite done. The bill is then transmitted (or ‘enrolled’) to the Governor. While specific deadlines and procedures vary depending on when a bill is enrolled, put simply, the Governor has three courses of action:

- 1) Sign the bill into law.
- 2) Allow it to pass into law without signature.
- 3) Veto the bill.

When a bill “becomes law,” it is given an Act number by the Governor. The new law goes into effect as mandated by the language of the bill.

## ENACTMENT OF LEGISLATION

After a bill successfully passes through both chambers of the Legislature, it still needs to be *enacted*. The procedure varies, depending on when the legislation is delivered to the Governor, and the Governor's subsequent action or inaction.

### IF ENROLLED BEFORE THE LAST 10 DAYS OF SESSION...

If the bill is presented to the Governor before the last ten days of session...

- 1) If Governor signs the bill, it is given an act number and becomes law.
- 2) If Governor doesn't sign the bill within 10 days (excluding Saturdays, Sundays, holidays, and recess days), it is given an act number and becomes law.
- 3) If Governor vetoes the bill, and the Legislature reconsiders the bill before adjournment, the bill becomes law if the veto is overridden by 2/3 of all members of each chamber.

If the Legislature fails to reconsider the bill before adjournment, or if the veto is not overridden by 2/3 of all members of each chamber, the veto stands, and the bill does not become law.

### IF ENROLLED LATER THAN 10 DAYS PRIOR TO ADJOURNMENT, OR AFTER ADJOURNMENT, *SINE DIE*...

If the bill is presented to the Governor later than ten days prior to adjournment, or after adjournment, *sine die*...

- 1) If Governor signs the bill, it is given an act number and becomes law.

- 2) If Governor does not sign or veto the bill by the 45th day after *sine die* (excluding Saturdays, Sundays and holidays) the bill is given an act number and becomes law.
- 3) If an intent to veto (with a statement of objections) is delivered by the Governor to the Legislature by the 35<sup>th</sup> day after adjournment...

The Legislature may convene a special session before noon on the 45th day for the purpose of acting on the vetoed bill. The bill can then become law if the Legislature overrides the veto by a vote of 2/3 of all members of each chamber.

If the Legislature fails to convene a special session before noon on the 45<sup>th</sup> day, or if the veto fails to be overridden by 2/3 of the members of each chamber, the veto stands, and the bill does not become law.

(While to date this scenario has not occurred, the Legislature could also change the bill to meet the Governor's objections, and pass the new version in each chamber with one floor reading. The amended bill would then be enrolled to the Governor.)

### **EFFECTIVE DATE OF ENACTED LEGISLATION**

The new law will take effect on the "effective date" specified in the measure. Look to (typically) the last section of the bill for the date the law becomes effective. It might say "...takes effect upon approval..." or "...becomes effective on July 1, 2005..." or other such similar wording.) If your bill *does* become law, it will take effect on the intended date. The session laws and the cumulative supplements to the Revised Statutes will be updated as necessary.

## **DEBRIEFING AND GETTING READY FOR NEXT SESSION**

While it's true that a lot of the activity takes place during session, a good game plan involves using the interim to lay the groundwork for the following January. Here are some suggestions drawn from the [May 2005 edition](#) of the Public Access Room newsletter.

### **INTERIM 'TO DO' LIST**

Make notes now – while session's still fresh in your mind. Sit down with your colleagues. Do a thorough review – what could have gone better? What worked well? What ideas did you have that you just didn't have the time or the resources to follow through on? What potential supporters did you identify? What challenges to your position or proposal were you ill-equipped to counter? What research did you wish you had? What new proposals sounded intriguing? What would you like to tell someone trying to do the same thing next year? What do you know now that you wish you had known at session start? Write it all down while it's still 'top of mind.'

#### Learn something new.

There's a wealth of resources out there – tap into them. Want to get to know the Legislature's website really well so you can stay on top of the measures introduced and session activity? If so, make an appointment with us in the Public Access Room – we'll be happy to walk you through it . Need to find an expert in a specific area? Start making phone calls, visit the library, talk with colleagues. Do some good old fashioned research and make yourself more of an expert. Need some good visuals to get your point across? Better public speaking skills? Envious of colleagues entering notes into their hand-held devices during committee hearings? The interim's the perfect time to learn — anything from

new software programs to how to set up an action alert network. Have you ever thought of joining Toastmasters?

Sketch out your game plan, and network.

Based on what you've learned this session, what's your game plan for being more successful next year? Set up meetings with legislators during the interim to get their advice, educate them, and communicate your concerns. Is there a legislator who'll help you get a bill drafted that effectively presents your proposal? What do others involved in the field have planned for their next session priorities? What key individuals would you like to involve in your efforts? Can you divide up the research and outreach tasks? Do you have a plan for stimulating testimony and getting the word out in support of your measure? What upcoming meetings and events can you use as natural networking opportunities? Map out a tentative time line showing key 'to do' items – and then schedule a follow-up review to evaluate how things are progressing. And remember, you can use the Public Access Room during the interim — the computers, convenient work space, and helpful staff are all here to assist you. PAR is open year-round, and we want to help you make the most of the interim – after all, we're your office at the Capitol.

## **APPENDIX: PUBLIC ACCESS ROOM**

### **HISTORY**

During the 1989 Legislative session, the Hawaii State Legislature passed SB 832, which was enacted into law (Act 331, Session Laws of Hawaii 1989) and endeavored to improve public access to legislative information.

Originally staffed by community volunteers, the Public Access Room (PAR) was established as part of a permanent public access program in 1994, offering a year-round staff and services. Since 1996, the PAR has been a division of the non-partisan Legislative Reference Bureau.

For more information, view [A Timeline of Public Access In Hawaii](http://www.hawaii.gov/lrb/par/fyi/timeline.pdf) (.pdf file) at <http://www.hawaii.gov/lrb/par/fyi/timeline.pdf>.

### **SERVICES**

If you visit the Public Access Room, all of these services and resources will be available to you. Note: Some of these resources may be accessed on the PAR's website ([www.hawaii.gov/lrb/par](http://www.hawaii.gov/lrb/par)).

- A public phone for short local calls related to legislative issues.
- TTY telephone service for the deaf or hearing impaired.
- Wheelchair accessibility.
- Large-print reading materials.
- A complete copy of the Hawaii Revised Statutes (HRS) and annual updates.
- Complete Session Laws, beginning with 1993 Special Session.
- Dictionaries (English, Hawaiian, Spanish, German, French, Japanese, Chinese, Tagalog, Ilocano) and thesauruses.
- Phone books for all Hawaiian Islands.
- Almanacs.
- Free copies of your testimony to be presented before Legislative Committees.
- Computers and office supplies to prepare testimony for Legislative Committees.
- Workspace for writing, researching and conducting small meetings.
- Computer terminals to track bills on the Legislature's Website and research issues on the Internet.
- A television for viewing House and Senate proceedings courtesy of the Legislative Broadcast Project.

- In-house viewing of DVDs, from the PAR library, relating to the three branches of government; the Bill of Rights & the U.S. Constitution; the Founding Fathers of the United States; and School House Rock.
- Hearing notices for the House of Representatives and Senate.
- House of Representatives and Senate Orders of the Day.
- Governor's appointments to boards and committees.
- Up-to-date Session Information Sheets: handouts with key information about the Legislature.

## **USE GUIDELINES**

The [Public Access Room \(PAR\)](#) was established “to enhance [the public’s] ability to participate in the legislative process” ([Section 21G-2, Hawaii Revised Statutes](#)). We ask that patrons of our room adhere to some guidelines when utilizing our facilities:

- Please sign in before using our services and facilities. If you come to the PAR several times a day, you only need to sign in once.
- Please maintain a quiet atmosphere by keeping your voices down when using our room.
- Please refrain from using profanity.
- No eating or drinking is allowed in the room.
- Please do not leave any personal belongings in the room when you leave. The PAR staff will not be responsible for personal belongings or valuables that are left unattended in the room.

## **SERVICES AND FACILITIES**

### **Public Telephone**

- Available for free local calls pertaining to legislative matters.
- Please limit calls to 5 minutes per call.
- Up to 3 phone calls per day may be made.
- Phone calls must be conducted at a low enough volume that others in the room will not be disturbed.
- A TTY unit is available for the hearing impaired. Please see staff for assistance if needed.

### **Photocopy Services**

- Only for testimony related to bills or resolutions scheduled for hearing by the House and/or Senate.

**Computers**

- To be used for legislative research related to matters under consideration by the Hawaii State Legislature, and for writing testimony.
- With permission from PAR staff, patrons may check their email or use Internet access as long as no one is waiting for a terminal for legislative research.
- If you wish to save your document, please save it on your personal disc. Anything left on the computer's hard drive is subject to deletion.
- Printing will only be allowed for testimony and bill/resolution status sheets. Only one copy of testimony should be printed on the public computers' printer. Our staff will photocopy the additional required copies at a different machine. A maximum of 10 status sheets may be printed per day.

**Mailboxes**

- Our small storage mailboxes are available on a first come, first served basis and are open to any person or organization. Any mailbox not used for an extended period of time may be reassigned.

**Televisions and DVDs**

- To be operated by staff members only.
- Volume must remain low enough so as not to disturb other patrons in the room.
- DVDs, which are the property of the Public Access Room, may be viewed only by arrangement through the staff, and only in the Public Access Room.

**Legislative Documents**

- Hearing notice information is available.
- Bills, resolutions, and committee reports are available through the Senate and House print shops. The PAR does not allow printing of these documents from the public computers.

**Fax Machine**

- Patrons may ask staff members to send faxes of up to 5 pages per day, time permitting.
- With prior permission from a staff member, patrons may receive faxes of up to 5 pages per day.

**Staff Equipment/Stations**

- NO staff equipment or stations may be used by the public.
- \* All people who use the PAR are required to comply with the policies and rules as set forth in this document. Please note that PAR staff members have the authority to use their discretion when upholding these policies. Anyone who fails to comply with the policies of the Public Access Room will be issued a verbal warning for the infraction. If the warning is not heeded, Public Access Room staff members have the authority to ban patrons from entry for a period of one year. When an individual is banned

from entry, a document will be prepared which will state the period of restriction, the date for the return of eligibility for PAR privileges, and the nature of the infraction.

*Revised 1/24/06*

## **WORKSHOPS**

The Public Access Room of the Hawaii State Legislature hosts a series of workshops for the public on a number of topics that pertain to the Legislature. Listed below are some of the workshops regularly offered. If you are interested in attending a workshop, please contact the Public Access Room at 587-0478 or check the PAR website (<http://www.hawaii.gov/lrb/par/workshp.html>) for schedules.

The Legislative Process & Citizen Participation: Learn about the legislative timetable, deadlines, chamber actions and readings, standing committees, conference committee procedures, and the internal rules of the House and Senate. Find out more about the process and how you can most effectively participate.

Reading and Understanding Legislative Documents: This workshop focuses on learning to read, decipher and more fully understand common legislative documents. The overview covers orders of the day, hearing notices, bills, resolutions, status sheets, referral sheets, journals and Governor's Messages. You'll become more familiar with the documents, and know where information can be found quickly.

Useful Internet Sites: Here we focus on the research tools available online, including the Legislature's website, the Legislative Reference Bureau library site and other State government resources.

## **NEWSLETTERS AND OTHER PAR PUBLICATIONS**

The [Public Access Room newsletter](#) is published monthly during the regular Legislative Session. It includes helpful articles on effectively participating in the legislative process, interesting sidebars of information, and updates on new resources and activities. Back issues are available on PAR's website, and can be a useful resource and teaching tool.

**CONTACT INFORMATION**

**Public Access Room**

*A Division of the Legislative Reference Bureau*

Hawaii State Capitol, Room 401  
415 So. Beretania Street  
Honolulu, HI 96813

(808) 587-0478 phone  
(808) 587-0749 TTY phone  
(808) 587-0793 fax

General email: [par@capitol.hawaii.gov](mailto:par@capitol.hawaii.gov)

From the Neighbor Islands, dial toll free:

Hawaii (Big Island) ..... 974-4000  
Maui ..... 984-2400  
Kauai ..... 274-3141  
Molokai/Lanai..... 1-800-468-4644

followed by the extension:

Ext. 7-0478 office  
Ext. 7-0793 fax



## GLOSSARY OF LEGISLATIVE TERMS

Act	A bill which has passed both houses of the Legislature; been enrolled, certified, not vetoed by the governor or has passed over the governor's veto; and published.
Adjournment	Termination of a meeting
Adjournment Sine Die	Adjournment on the last day of a regular or special legislative session.
Administration, the	Common usage refers to the State executive branch.
Administration Bill	A bill prepared by the executive branch that is submitted to the Legislature for consideration.
Administrative Procedure Act	The Administrative Procedure Act (Chapter 91, Hawaii Revised Statutes) governs the adoption of rules and the holding of contested case hearings by executive agencies in implementing acts of the Legislature.
Advise and Consent	The process by which the Senate reviews and approves executive and judicial appointments.
Amendment	The process or result of formally altering a document or record. All amendments to bills, resolutions and proposed constitutional amendments are numbered to prevent confusion during the legislative process.
Amendment, Constitutional	A proposed change to the Constitution of the State of Hawaii, offered by the State Legislature or a Constitutional Convention and ratified by the electorate, as specified in ARTICLE XVII, Section II.
Amendment, Floor	An amendment offered to a legislative document, or to modify another amendment, presented by a legislator while the document is on the floor of that legislator's house, i.e., a "House amendment" or "Senate amendment."
Appropriation	A legislative authorization to make expenditures and incur obligations for specific governmental purposes; usually limited as to time when it may be expended. One of the prime responsibilities of the Legislature is this power to appropriate moneys.
Appropriation Bill	A proposed piece of legislation authorizing an appropriation. <u>General appropriation bill</u> - An appropriation bill covering all estimated expenses of the executive branch of state government for a fiscal biennium ("biennial budget"); initially introduced at the request of the governor. <u>Supplemental appropriation bill</u> - An appropriation bill

	authorizing appropriations supplementing the general appropriation act of the previous session.
Archives	A collection of records. Online archives of previous legislative sessions can be found on the Legislative website ( <a href="http://www.capitol.hawaii.gov">www.capitol.hawaii.gov</a> ). The State Archives ( <a href="http://kumu.icsd.hawaii.gov/dags/archives/">http://kumu.icsd.hawaii.gov/dags/archives/</a> ) is the state's central repository for non-current government records of permanent value.
Bicameral	Literally, having "two rooms," the term is used to refer to legislative bodies having two houses. In Hawaii and in the U.S. Congress, these are referred to as the House of Representatives and the Senate. The State of Nebraska, by contrast, has a unicameral legislature.
Biennium	A two-year period. This term is used to describe the two-year term of a Legislature that begins in an odd-numbered year and ends in an even-numbered year. With respect to the state budget, the fiscal biennium begins on July 1 of each odd-numbered year and ends two years later on June 30.
Bill	Statute in draft before it becomes law. "No law shall be passed except by bill. Each law shall embrace but one subject, which shall be expressed in its title." (Constitution, Article III, Section 14.) See <i>Administration Bill, Appropriation Bill, Carry-Over Bill, Companion Bill, Fiscal Bill</i> or <i>Short-Form Bill</i> .
Bipartisan	Involving members of both major political parties.
Bond	A certificate of indebtedness issued by the government in return for money it has borrowed; a promise to pay a specified sum of money at a fixed time in the future and carrying interest at a fixed rate. <u>General obligation bond</u> - Bonds for whose payment the full faith and credit of the issuing government are pledged. <u>Revenue bond</u> - A bond which is to be paid off by revenues produced from the facility it finances, such as user fees for a parking garage or room fees for a student dormitory. <u>SPRB</u> (pronounced "spurb") – A bond which is sold by the State government on behalf of qualified private organizations. Proceeds usually benefit projects with a degree of public purpose.
Bracket (standing committees)	See <i>Committee</i> .
Budget	A plan for expending funds by program for a given fiscal year or biennium and the means of financing the expenditures.

	<p><u>Capital improvement budget</u> - A budget plan of major capital expenditures for land acquisition, equipment, plans, design, and construction of facilities and the method of financing them.</p> <p><u>Operating budget</u> - A budget which applies to all expenditures other than capital expenditures for general governmental expenses.</p>
Budget Worksheets	"Working documents" the Senate/House legislators and members in the conference meetings use during their discussions and as they try to resolve differences between the House and Senate versions of the executive budget.
By Request	These words or the initials, BR, follow the name of the introducer of a legislative measure to indicate that the introducer does not necessarily endorse the measure but is introducing it as a courtesy.
Cabinet	The people appointed by the governor to head the State executive departments of the government and to act as official advisers.
Calendar	An agenda or list of business awaiting possible action by each chamber.
Capital vs. Capitol	The term for a town or city that serves as a seat of government is spelled <i>capital</i> . The term for the building in which a legislative assembly meets is spelled <i>capitol</i> .
Capital Improvement Project (CIP)	A project involving land acquisition, equipment, plans, design and/or construction of facilities.
Carry Over Bills	Any bill pending at the final adjournment of a regular session in the first year of the biennium (e.g., an odd-numbered year) carries over with the same status to the regular session of the second year of the biennium. Before a carry over bill may be enacted, it must pass at least one reading in the chamber in which the bill originated.
Caucus	Conference of members of a legislative group to decide on policies or strategies; most commonly, a "party caucus" is for members of one or another political party.
Certificate	A document used by legislators to acknowledge the deeds of individuals in the community, visiting dignitaries, civic organizations, and other exemplary individuals or organizations. Congratulatory certificates may recognize a worthy constituent, agency, private establishment, or visiting dignitary. Memorial or commemorative certificates may be used

	to convey the sympathy and condolences of the Legislature on the passing of a constituent or dignitary.
Chair	Presiding officer of a committee. It is his or her responsibility to determine the agenda for each hearing, and ensure that everyone operates in an efficient manner and in accordance with any previously agreed rules.
Chamber	The large rooms where the Senate or House of Representatives meet. Also, a generic term for a house of the legislature.
Committee	<p>A group of legislators, usually members of the same house, assigned to consider a subject or issue and to submit a report on its recommendations for action by the body which created it. All committees are appointed by the president of the Senate or the speaker of the House.</p> <p><u>Standing Committees</u> are established by the rules of the House and Senate to address particular areas such as health, transportation, or education.</p> <p><u>Special Committees</u> are temporary and are established either by the speaker or president by resolution or by any other legal means to consider one special subject or bill. They come to an end when they have performed the purpose for which they were established.</p> <p><u>Conference Committees</u> are appointed from both houses to reach agreement on a measure for final approval by both houses once it has been passed in differing versions by each house.</p> <p><u>Joint Committees</u> are composed of a specified number of members of both houses.</p> <p><u>Bracket standing committees</u> refer to categories the House and Senate use to classify and rank their committees and equitably and efficiently distribute committee assignments among members. For more information, and bracket tables, see <a href="#">The Citizen's Guide</a> on the <a href="#">Legislature's website</a> (listed under "<a href="#">Legislative Information</a>").</p>
Committee Report	A document that a committee uses from time to time to report on matters referred to it. The document usually states findings of facts and conclusions, together with a distinct recommendation as to the disposal of the matter.
Companion Bill	Two bills identical in wording that are introduced in each house. They will most likely not have the same

	number. Some companion bill sponsors feel it will increase the chances for the passage of the bill.
Concurrent Resolution	See <i>Resolution</i> .
Conference Committee	See <i>Committee</i> .
Confirmation	Made valid by formal approval; ratification.
Conflict of Interest	Conflict between one's obligation as a public employee or appointee and one's self-interest. Various laws regarding conflict of interest exist. The <a href="#">Hawaii State Ethics Commission website</a> provides information and discussion concerning many of these issues.
Congratulatory Certificate	See <i>Certificate</i> .
Consent Calendar	A calendar on which bills considered to be non-controversial are placed for an expedited voting procedure. The House of Representatives uses a "modified consent calendar" whereby the Majority and Minority Floor Leaders earlier record the votes of their caucus members for a series of non-controversial bills and announce those votes when the vote is taken on the floor specifically naming only those members casting "no" votes.
Constituent	A person residing within the district of a legislator.
Constitution	The written instrument embodying the fundamental principles of the state that establishes power and duties of the government and guarantees certain rights to the people.
Constitutional Amendment	See <i>Amendment, Constitutional</i> .
Convene	To meet in formal legislative session.
Crossover	Deadline for bills or resolutions to move, or crossover, to the other house for consideration.
Cutoff Dates	Deadline set by a legislative body for specified action, such as bill introduction, committee action, or initial passage of bills by either house.
Dead	Description of a measure that has failed to meet the deadlines established by the legislative timetable.
Decking	Refers to the time when a bill is in its final form in which it is intended to be passed and is made available to members of the Legislature for 48 hours prior to being voted on for passage.
Decorum	Propriety of manner or conduct; grace arising from suitableness of speech and behavior to one's own character, or to the place and occasion; decency of conduct; seemliness; that which is seemly or suitable.

Deferred	Postponed, with no scheduled time set for reconsideration.
Department	Organizational section of the executive branch.
Disagree	Refers to the deadline for either house to disagree to the amendments made to its bill by the other body.
District	Political division made for a specific purpose. In Hawaii, there are currently 51 separate and unique House districts, and 25 separate and unique Senate districts. Each physical address in the state lies in exactly one House and one Senate district, represented by a State Representative and a State Senator.
Division of the house	A method of voting where legislators will rise to signify their vote.
Draft	House/Senate/Conference
Drafting Agency	Office which drafts or aids in the drafting bills, resolutions, memorials, and amendments thereto, including committee reports, for the Legislature, legislative committees, and legislators when requested. The Legislative Reference Bureau, the Senate Majority and Minority Offices, and House Majority and Minority Offices are those agencies.
Effective Date	The date a bill, once passed, becomes law. Unless a different date is specified, bills become law when approved.
Enacting Clause	The clause required by the Hawaii Constitution to head all bills: "Be it enacted by the Legislature of the State of Hawaii," which formally expresses the legislative sanction.
Engrossment	The preparation of an exact, accurate, and official copy of a measure in the house of origin along with amendments and proper signatures; then dispatched to the other house.
Enrollment	Signifies that a bill has been engrossed by both houses. This is the last legislative action taken on a bill unless it is reconsidered after objection by the governor.
Environmental Impact Statement (EIS)	Assessment and report that documents potential effects of a project and presents the information required to inform decision makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the environment.
Executive Branch	Arm of government empowered and required to administer laws and government affairs; administrative branch (as distinct from legislative and judicial branches).
Filing	Formally delivering in prescribed manner to the clerk of

	the appropriate chamber. See also, <i>prefiling</i> .
Fiscal Biennium	See <i>Biennium</i> .
Fiscal bill	Appropriation bill; gives authority to spend or obligate moneys for purposes specified.
Fiscal Year	The period used for budgeting and accounting. In Hawaii State government, this period is from July 1 of one calendar year to June 30 of the next calendar year.
Floor	Reference to the interior of the chamber of either house. Floor action suggests consideration by the entire House or Senate rather than committee action.
Floor Amendment	See <i>Amendment, floor</i> .
Forty-eight-hour rule	The constitutional requirement that printed copies of the bill, in the form to be passed, shall be made available to members at least forty-eight hours prior to its passage on third or final reading.
Governor's Message (GM)	Formal communication from the Governor to the legislative branch.
Grandfather clause	A provision exempting persons or other entities already engaged in an activity from rules or legislation affecting that activity. Grandfather clauses sometimes are added to legislation to avoid problems concerning constitutionality or fairness.
Grants-in-Aid	Moneys allocated to organizations through designated application process.
Hawaii Revised Statutes (HRS)	The codified general and permanent laws of the State of Hawaii.
Hawaii Session Laws	See <i>Session Laws of Hawaii (SLH)</i> .
Hearing, Public	A formal session of a legislative committee, whereby interested members of the public are invited to present testimony on a proposal; distinguished from an informational briefing, which the public is usually allowed to attend but not present testimony.
Hearing Notice	Communication issued by committee advising legislators and the public that a hearing on particular measures will be held.
Held in Committee	The defeat of a measure by the decision of a standing committee not to return it to the full house for further consideration.
House	Generally, either body or chamber of the Legislature. (If capitalized, it usually refers to the House of Representatives).
House of Representatives	U.S. House of Representatives consists of proportional representation from each state (Hawaii has two members). Hawaii State House of Representatives consists of 51 members from 51 districts. See first

	chapter of this manual for additional information on organization and jurisdiction.
House Rules	Rules of procedure adopted by the House of Representatives governing procedures in that body, such as duties of House officers, rights and duties of members, and floor procedures.
HRS	See <i>Hawaii Revised Statutes</i> .
Interim	Refers to the period between regular legislative sessions.
Introduction	The transmittal of a bill from a representative's or senator's office to the respective chief clerk's office for acceptance and numbering.
Invocation	The appeal to a higher power for assistance, usually at the beginning of a legislative day immediately after the call to order.
Joint Committee	see <i>Committee</i> .
Journal	The official chronological record of the proceedings of the Senate and House, certified, indexed, printed, and bound at the close of each session.
Judiciary Branch	Arm of government empowered to interpret law and administer justice; system of law courts, judges and their functions. (Distinct from legislative and executive branches of government.)
Judiciary Communication (JC)	Formal communication from the judiciary branch to the legislative branch.
Jurisdiction	The area over which a court or government body has the power and right to exercise authority.
Kanalua	Term used by a legislator during roll call to signify that the legislator is undecided and that the Clerk should recall the legislator's name at the end of the roll call list. In the Senate, if a member responds "kanalua" or remains silent the second time the member's name is called, the vote is recorded as "aye". In the House, a member responding "kanalua" or remaining silent three times will be recorded as voting "aye". See also: <i>vote</i> .
Lateral	Internal deadline by which a bill must move to the final referral committee in a chamber. ("Lateral" because the bills move "sideways"--from one committee to another within each house--rather than "forward" from the House to the Senate or vice versa). This deadline is not shown on the Legislative Timetable. Please contact the Public Access Room (808) 587-0478, House Clerk's Office (808) 586-6400, or Senate Clerk's Office (808) 586-6720 for the current lateral deadline dates.

Leadership	Officers elected by majority and minority party caucuses.
Legislative Branch	Arm of government empowered to make laws. (Distinct from executive and judicial branches of government.)
Legislator	Member of a legislative assembly; lawmaker. State legislators are Representatives (belonging to the House of Representatives of the State of Hawaii) or Senators (belonging to the Senate of the State of Hawaii).
Legislature	Law-making body of Hawaii state government (as specified in Article III, Constitution of the State of Hawaii) which consists of two chambers (State Senate, State House of Representatives).
Line item	Appropriation specified on a separate line of a budget.
Lobbyist	A person or organization seeking to influence the passage or defeat of legislation. (Originally the term referred to persons frequenting the lobbies or corridors of legislative chambers in order to speak with lawmakers.) In Hawaii, Section 97-1, Hawaii Revised Statutes, presents the parameters that define who is considered a lobbyist (generally based on hours and pay) and who must register with the Hawaii State Ethics Commission.
Majority	Refers to leadership and/or members of the political party with the most members serving in the chamber. Members may adopt rules for their caucus.
Managers, Conference	Legislators who are appointed by the presiding officers of their respective houses to resolve the differences between the final versions of the two houses on a particular legislative measure.
Measure	Any matter before a body such as a bill or resolution.
Minority	Refers to leadership and/or members of a political party with less than the most members serving in the chamber. Members may adopt rules for their caucus.
Nonpartisan	Without affiliation, bias or designation of a political party.
Omnibus Bill	Proposed legislation which packages several measures together or combines diverse subjects.
Opening Day	Official commencement of a new legislative session. The Hawaii State Constitution specifies the third Wednesday in January (Article III, Section 10).
Order of the Day	The agenda of the daily order of business used by each house.
Ordinary Calendar	Term used to designate items being considered that are not on the consent calendar. See <i>Consent Calendar</i> .
Override	Generally, to set aside or annul. Particularly, the Legislature may override a Governor's veto by a 2/3

	vote of the members of each chamber.
Package	Refers to a collection of legislative measures introduced or supported by a particular group.
Pass	Approve of a measure.
Point of Order	Question raised by legislator regarding rules of procedure.
Point of Personal Privilege	Question raised by legislator regarding rights and privilege.
Pork Barrel	Government appropriations for a district designed to garner political support for the elected representatives of the district.
Prefiling	Filing of bills prior to the start of Regular Session. See <i>Filing</i> .
Prior Concurrence	The consent which must first be obtained by a later committee hearing a bill from a prior committee before any substantive change is made to the recommendations of such committee.
Pro tem (or pro tempore)	Temporarily. Used to refer to temporary presiding officer.
Proviso	A clause used in the executive budget bill to specify a particular use of a portion of an amount appropriated to a broad program.
Public Hearing	See <i>Hearing, Public</i> .
Quorum	The number of members of a house, committee, or other group that must be present before the group may conduct official business. For the House of Representatives and Senate, quorum is defined in their Rules as a majority of members to which the house is entitled.
Ramsayer	The bill drafting format employed by the Hawaii Legislature using brackets, strikethrough, underscoring, and prefatory language to specify the changes to a particular law being proposed by the bill.
Reading	A vote by the entire House or Senate on a bill or resolution. Approval of a bill requires three readings by the House and three readings by the Senate.
Recall	The procedure by which any bill referred to a committee may be removed from that committee's jurisdiction 20 days after referral if one-third of the House members votes in favor of this action.
Recess	The mandatory 5-day recess (non-legislative days) during regular session. On non-legislative days, or after the completion of a legislative day, during regular session, the legislature may be referred to as being "in recess."
Recommittal	The sending of a measure back to the committee which reported it out for further consideration.

Reconsideration	The act of requesting the return of a measure sent to the second house or to the governor, but not yet enacted into law, for the purpose of reconsidering the action taken on that measure.
Reconvene	Assemble or meet again.
Referendum	The principle or practice of submitting a law to popular vote after the filing of a petition expressing the wish of the people to vote on such law.
Referral	The sending or referring of a measure to a committee or committees.
Referral Sheet	Communication from a chamber specifying which committees have been assigned to consider a bill or resolution.
Re-Referral	The act of reconsidering and/or changing the standing committee referrals of a measure.
Resolution	A measure expressing the will, wish, or direction of the Legislature. It does not have the effect of law. <u>Single Chamber Resolution</u> - A resolution to be adopted by a single chamber of the Legislature. <u>Concurrent Resolution</u> - A resolution to be adopted by both chambers of the Legislature. <u>Substantive Resolution</u> - A resolution which requests action or states the Legislature's position on an issue.
Revenue bonds	See <i>Bonds</i> .
Roll Call	Reading aloud of the list of Representatives or Senators to find out who is absent. See also, <i>Roll-call Vote</i> .
Roll-call Vote	The presiding officer states the motion before the body. Clerk calls the roll (list) of members. Members respond with aye or no as their name is read, and Clerk records each vote in the Journal.
Senate	U.S. Senate consists of two Senators from each state. Hawaii Senate consists of 25 members from 25 districts. See first chapter of this manual for additional information on organization and jurisdiction.
Senate President	Presiding officer of the Senate of the State of Hawaii.
Sergeant-at-Arms	Officer appointed to keep order in House or Senate. In this role, Sergeant and staff provide a myriad of services to the legislature and their offices.
Session	<u>Regular</u> - The Legislature convenes each year on the third Wednesday in January for 60 legislative days. Each legislature has a duration of two years (including two regular sessions), starting in the odd-numbered year (see <i>biennium</i> ). <u>Special</u> - May be called by the governor or at the written request of two thirds of the members to which each

	house is entitled. The governor may convene both houses, or the Senate alone, in special session. Special session is limited to a period of 30 days and may be extended a total of not more than 15 days.
Session Laws of Hawaii (SLH)	The annual publication of all laws enacted by the Legislature for a particular year. Includes laws that amend Hawaii Revised Statutes (HRS) and those having no statutory references (for example, appropriation of funds, authorization to issue bonds, and establishment of temporary commissions).
Severability Clause	Wording in a bill that instructs the court and administering agencies that if one portion of the act is found unconstitutional or otherwise invalid, the remainder of the act will remain intact.
Short-Form Bill	Bill that contains only a reference to the general idea of the subject and contemplates the subsequent drafting of the specific details in long form.
Sine Die	To adjourn on the last day of a regular or special session.
Special Committee	See <i>Committee</i> .
Special Purpose	See <i>Bonds</i> .
Revenue Bonds (SPRBS)	
Standing Committee	See <i>Committee</i> .
State of the State Address	The Governor's annual report to the legislature and public.
Status Sheet	Online document presenting primary information of a measure (title, description, introducers, etc.) and a record of all actions made by the Senate or House on the measure (includes referrals, hearings scheduled, votes, enrollment, etc.). In addition, the sheet's heading indicates the most current draft of the measure. (For assistance in finding status sheets, follow the steps listed under "How to Find the Status of a Measure" in the Finding Useful Information Online section.)
Statutes	The codified body of law known as the Hawaii Revised Statutes (HRS), as well as the Session Laws of Hawaii (SLH).
Sunrise	A provision starting a program or agency on a specific date.
Sunset clause	A provision shutting off a program or agency on a specific date, requiring reexamination and a fresh authorization prior to that date in order to continue. See also, <i>Sunset Law</i> .
Sunset law	Establishes policies and provides for program evaluation

	by the Auditor of certain regulatory programs to consider whether public interest requires that they be reenacted, modified, or permitted to expire. The Auditor is required to make recommendations for improving the regulatory program evaluated, including proposing draft legislation which is prepared with the help of the Legislative Reference Bureau. Also requires that any measure proposing regulation of an unregulated profession or vocation be sent to the Auditor for an analysis to ascertain the probable effects of regulation and whether enactment would be consistent with the policies in the sunset law. The law's actual title is the Hawaii Regulatory Licensing Reform Act (Chapter 26H, HRS).
Sunshine Law	Provides for the discussions, deliberations, decisions, and action of governmental agencies in the formation and conduct of public policy to be conducted as openly as possible. Sometimes referred to as Open Meetings law. See Office of Information Practices regarding complaints and oversight. (Chapter 92, HRS. More specifically, see Section 92-10, HRS, regarding applicability to legislative branch.)
Table	See <i>Deferred</i> .
Testimony	Written or oral presentation of facts, arguments and views in relation to a measure being considered by a committee.
Timetable, Legislative	A calendar usually set by the presiding officers of each house, containing important deadlines for the introduction and movement of bills and resolutions through the session.
Title of bill	Heading of a bill, which must reflect the content of the measure.
Unamended	Not changed.
Unanimous consent	All in favor; no dissenting vote. Voting by unanimous consent is an expedient method of voting, similar to a voice vote. The presiding officer asks if there is any objection to the motion before the body, and if none is voiced, announces that the motion passes by unanimous consent. Unanimous consent is frequently used when a great number of measures to which no opposition is voiced have to be passed.
Veto	A power vested in the governor to prevent the enactment of measures passed by the Legislature by returning them, with objections, to the Legislature.
Veto Message	A statement submitted by the Governor to the Legislature explaining the Governor's reasons for the veto of the

Voice vote	<p>bill.</p> <p>Oral, uncounted vote which is the usual and ordinary method of voting. When a motion is before the body, the presiding officer asks those members in favor of the motion to say "aye" in unison. He or she then asks those members opposed to say "no." The presiding officer then announces the result of the vote. If the result is disputed, members may call for a more formal method of voting (for example, a roll call vote).</p>
Vote	<p><u>Aye</u>: Votes in favor of a motion.</p> <p><u>Aye with reservations</u>: Votes in favor of a motion, with indication of reservations.</p> <p><u>Kanalua</u>: Undecided. (Its use is specified in House and Senate rules, and differs between chambers. See <i>Kanalua</i>.)</p> <p><u>No</u>: Votes in opposition to a motion.</p> <p><u>Excused</u>: Member does not vote on the motion. No member may refrain from voting unless excused by the presiding officer.</p>
Whip	<p>Legislative member serving as party officer charged with maintaining discipline, enforcing attendance or similar duties.</p>

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