

JAN 21 2011

S.B. NO. 70

A BILL FOR AN ACT

RELATING TO LEGISLATIVE SUNSHINE PROVISIONS.

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

1 SECTION 1. The purpose of this Act is to require the
2 legislature to follow certain fundamental principles of the
3 sunshine law in conducting its business, including:

4 (1) Requiring each legislative house to conduct a public
5 hearing on proposed rules prior to adoption;

6 (2) Requiring that correspondence, including governor's
7 messages, submitted on a measure be considered as
8 testimony on the measure;

9 (3) Instituting a forty-eight-hour public notice
10 requirement, excluding Sundays and state holidays, for
11 public hearings to ensure reasonable opportunity for
12 public input and testimony on legislation;

13 (4) Requiring that all floor votes, except on first
14 reading, be printed on the order of the day before
15 consideration; and

16 (5) Requiring a majority vote to suspend a legislative
17 rule.



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

4 **"PART . LEGISLATIVE PROVISIONS**

5 **§92- Testimony and public notice.** (a) Public notice
6 shall be provided forty-eight hours before a public hearing.
7 The forty-eight-hour period shall exclude Sundays and state
8 holidays. A public hearing shall be conducted on all major
9 substantive provisions in legislation to be adopted.

10 (b) All correspondence submitted on a measure, including
11 governor's messages, shall be considered as testimony on that
12 measure.

13 **§92- Rules of the legislature.** After a public hearing,
14 each legislative house shall adopt official rules and policies
15 by a majority vote. A majority vote shall be taken before
16 suspending any legislative rule.

17 **§92- Agenda and voting.** All items to be voted on by
18 each legislative house, except for first reading votes on bills,
19 shall be printed on the order of the day before consideration,
20 including votes to agree to amendments from the other house."

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



1 "§92-10 Legislative branch; applicability.

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

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

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

17
INTRODUCED BY: _____



Report Title:

Sunshine Law; Legislative Requirements

Description:

Requires the legislature to follow fundamental principles of the sunshine law, including: conducting public hearings on legislative rules; requiring correspondence on measures to be considered testimony; giving a forty-eight-hour public notice for public hearings and requiring a majority vote to suspend legislative rules.

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

