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## A BILL FOR AN ACT

RELATING TO LEGISLATIVE HEARINGS.

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

1           SECTION 1. Chapter 21, Hawaii Revised Statutes, is amended  
2 by adding a new part to be appropriately designated and to read  
3 as follows:

4                       "PART . COMMITTEE HEARINGS, GENERALLY

5           §21-       Prerecorded video testimony; rules. Each chamber  
6 of the legislature shall establish, by rule, procedures to  
7 enable persons to present oral testimony at legislative  
8 committee hearings through the use of prerecorded videos."

9           SECTION 2. Chapter 21 is amended by designating sections  
10 21-1 to 21-19 as part I, entitled "Investigating Committees,  
11 General Powers, and Duties of Sergeant-at-Arms".

12           SECTION 3. Section 21-1, Hawaii Revised Statutes, is  
13 amended to read as follows:

14           "§21-1 Purpose. The purpose of this [~~chapter~~] part is to  
15 establish procedures governing legislative investigating  
16 committees to provide for the creation and operation of  
17 legislative investigating committees in a manner [~~which~~] that



1 will enable them to perform properly the powers and duties  
2 vested in them, including the conduct of hearings, in a fair and  
3 impartial manner, consistent with protection of the  
4 constitutional rights of persons called to testify at such  
5 hearings and preservation of the public good."

6 SECTION 4. Section 21-2, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "§21-2 Definitions. As used in this [~~chapter-~~] part:

9 "Hearing" means any meeting in the course of an  
10 investigatory proceeding, other than a preliminary conference or  
11 interview at which no testimony is taken under oath, conducted  
12 by an investigating committee for the purpose of taking  
13 testimony or receiving other evidence. A hearing may be open to  
14 the public or closed to the public.

15 "Investigating committee" means any of the following which  
16 are authorized to compel the attendance and testimony of  
17 witnesses or the production of books, records, papers, and  
18 documents for the purpose of securing information on a specific  
19 subject for the use of the legislature:

20 (1) A standing or special or select committee or committee  
21 of the whole of either house of the legislature;



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- 1           (2) A joint committee of both houses;
- 2           (3) An authorized subcommittee of a legislative committee;
- 3                   and
- 4           (4) Any body created by law, the members of which may
- 5                   include nonlegislators.

6           "Public hearing" means any hearing open to the public, or  
7 the proceedings of which are made available to the public."

8           SECTION 5. Section 21-6, Hawaii Revised Statutes, is  
9 amended by amending subsection (c) to read as follows:

10           "(c) No action shall be taken by a committee at any  
11 meeting unless a quorum is present. The committee may act by a  
12 majority vote of the members present and voting at a meeting at  
13 which there is a quorum, unless the provisions of this [~~chapter~~]  
14 part or any other statute require a greater number or  
15 proportion."

16           SECTION 6. Section 21-13, Hawaii Revised Statutes, is  
17 amended by amending subsection (c) to read as follows:

18           "(c) Any person who appears before an investigating  
19 committee pursuant to this section shall have all the rights,  
20 privileges, and responsibilities of a witness provided by this  
21 [~~chapter.~~] part."



1 SECTION 7. Section 21-15, Hawaii Revised Statutes, is  
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) A person guilty of contempt under this [~~chapter~~] part  
4 shall be fined not more than \$1,000 or imprisoned not more than  
5 one year or both.

6 (b) If any investigating committee fails in any material  
7 respect to comply with the requirements of this [~~chapter~~,] part,  
8 any person subject to a subpoena or a subpoena duces tecum who  
9 is injured by the failure shall be relieved of any requirement  
10 to attend the hearing for which the subpoena was issued or, if  
11 present, to testify or produce evidence therein; and the failure  
12 shall be a complete defense in any proceeding against the person  
13 for contempt or other punishment."

14 SECTION 8. Section 21-19, Hawaii Revised Statutes, is  
15 amended to read as follows:

16 "**§21-19 Limitations.** Nothing contained in this [~~chapter~~]  
17 part shall be construed to limit or prohibit the acquisition of  
18 evidence or information by an investigating committee by any  
19 lawful means not provided for herein."

20 SECTION 9. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$ or so



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1 much thereof as may be necessary for fiscal year 2017-2018 and  
2 the same sum or so much thereof as may be necessary for fiscal  
3 year 2018-2019 for the purpose of enabling persons to present  
4 oral testimony at senate committee hearings through the use of  
5 prerecorded videos.

6 The sums appropriated shall be expended by the senate for  
7 the purposes of this Act.

8 SECTION 10. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$ or so  
10 much thereof as may be necessary for fiscal year 2017-2018 and  
11 the same sum or so much thereof as may be necessary for fiscal  
12 year 2018-2019 for the purpose of enabling persons to present  
13 oral testimony at house of representatives committee hearings  
14 through the use of prerecorded videos.

15 The sums appropriated shall be expended by the house of  
16 representatives for the purposes of this Act.

17 SECTION 11. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.



# H.B. NO. 19

1 SECTION 12. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

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JAN 19 2017



# H.B. NO. 154

**Report Title:**

Public Hearings; Legislative Testimony; Prerecorded Video; Appropriation

**Description:**

Requires both chambers of the Legislature to establish, by rule, procedures to enable persons to present oral testimony at legislative committee hearings through the use of prerecorded videos. Appropriates funds.

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

