
A BILL FOR AN ACT

RELATING TO ADMINISTRATIVE RULEMAKING.

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

1 SECTION 1. Section 91-2.6, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) Beginning January 1, 2000, all state agencies,
4 through the office of the lieutenant governor, shall make
5 available on the website of the office of the lieutenant
6 governor each proposed rulemaking action of the agency and the
7 full text of the agency's proposed rules or changes to existing
8 rules[-] in Ramseyer format, showing the proposed language for
9 repeal by brackets and strike-through and the proposed new
10 material by underscoring, including citation to any existing
11 rule or part thereof affected by the proposed repeal or new
12 material, and using parallel columns or other appropriate
13 stylistic devices to aid the reader. The full text of the
14 agency's proposed rules shall be in a digitally accessible and
15 searchable format. The internet website shall provide
16 instructions regarding how to download the information regarding



1 proposed rulemaking actions and the full text of the agency's
2 proposed rules."

3 SECTION 2. Section 91-3, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Except as otherwise provided in this section, prior
6 to the adoption of any rule authorized by law, or the amendment
7 or repeal thereof, the adopting agency shall:

8 (1) Give at least thirty days' notice for a public
9 hearing. The notice shall include:

10 (A) A statement of the topic of the proposed rule
11 adoption, amendment, or repeal or a general
12 description of the subjects involved; ~~and~~

13 (B) A statement that a copy of the proposed rule to
14 be adopted, the proposed rule amendment, or the
15 rule proposed to be repealed will be mailed to
16 any interested person who requests a copy~~[7]~~ and
17 pays the required fees for the copy and the
18 postage, if any, together with a description of
19 where and how the requests may be made;

20 (C) A statement of when, where, and during what times
21 the proposed rule to be adopted, the proposed



1 rule amendment, or the rule proposed to be
2 repealed may be reviewed in person; and
3 (D) The date, time, and place where the public
4 hearing will be held and where interested persons
5 may be heard on the proposed rule adoption,
6 amendment, or repeal.

7 The notice shall be mailed and electronically
8 provided to all persons who have made a timely written
9 request of, and provided a valid working email address
10 to, the agency for advance notice of its rulemaking
11 proceedings, given at least once statewide for state
12 agencies and in the county for county agencies.

13 Proposed state agency rules shall also be posted on
14 the Internet as provided in section 91-2.6; and
15 (2) Afford all interested persons an opportunity to submit
16 data, views, or arguments, orally or in writing. The
17 agency shall fully consider all written and oral
18 submissions respecting the proposed rule. The agency
19 may make its decision at the public hearing or
20 announce [~~then~~] the date [~~when~~] it intends to make its
21 decision. Upon adoption, amendment, or repeal of a



1 rule, the agency, if requested to do so by an
 2 interested person, shall issue a concise statement of
 3 the principal reasons for and against its
 4 determination."

5 SECTION 3. Section 91-4, Hawaii Revised Statutes, is
 6 amended by amending subsection (a) to read as follows:

7 "(a) Each agency adopting, amending, or repealing a rule,
 8 upon approval thereof by the governor or the mayor of the
 9 county, shall file forthwith certified copies thereof with the
 10 lieutenant governor in the case of the State, or with the clerk
 11 of the county in the case of a county. In addition, the clerks
 12 of all of the counties shall file forthwith certified copies
 13 thereof with the lieutenant governor. A permanent register of
 14 the rules, open to public inspection, shall be kept by the
 15 lieutenant governor and the clerks of the counties. All state
 16 agencies, through the office of the lieutenant governor, shall
 17 make available on the website of the office of the lieutenant
 18 governor, the rule being adopted, amended, or repealed, showing
 19 in Ramseyer format the proposed language for repeal by brackets
 20 and strike-through and the proposed new material by
 21 underscoring, including citation to any existing rule or part



1 thereof affected by the proposed repeal or new material, and
2 using parallel columns or other appropriate stylistic devices to
3 aid the reader. The full text of the agency's proposed rules
4 shall be in a digitally accessible and searchable format."

5 SECTION 4. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on June 30, 3000.

8



H.B. NO. 572 H.D. 1

Report Title:

Administrative Rulemaking; Electronic Notice

Description:

Requires that prior to the adoption, amendment, or repeal of an administrative rule, electronic notice of the proposed rulemaking be provided to all persons who have made a timely written request to, and provided a valid working email address to, the adopting agency for advance notice of its rulemaking proceedings. Requires that alterations to administrative rules be displayed in Ramseyer format and the full text of rules be made available in a digitally accessible and searchable format. Effective 6/30/3000. (HD1)

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

