

# PUBLIC ACCESS ROOM

A division of the Legislative Reference Bureau

# NEWSLETTER

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

Phone: (808) 587-0478 ♦ Website: <http://lrbhawaii.org/par/>

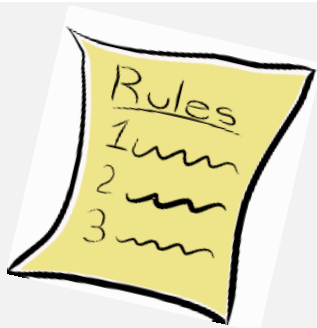
### CONTACT US!

#### Public Access Room (PAR)

Phone.....(808) 587-0478  
TTY .....(808) 587-0749  
Email.....[par@capitol.hawaii.gov](mailto:par@capitol.hawaii.gov)

**Neighbor Islands (Toll Free):** Use these numbers, and then enter extension 7-0478 followed by the # sign.

Hawai'i .....974-4000   Kaua'i .....274-3141  
Maui.....984-2400   Moloka'i/Lana'i ... (800) 468-4644



## Rules, Rules, Rules!

At the Public Access Room (PAR), we field a wide array of questions. The answers to some of them can be found in the [Senate Rules](#) and the [House Rules](#) -- available online.

The Senate and the House have each adopted rules that govern the operation of their own chamber. Of course, underpinning the rules are laws regarding the Senate, House, and legislation as presented in the Constitution of the State of Hawaii and the Hawaii Revised Statutes (HRS).

The rules actually provide some interesting reading, and can teach you a lot about the dynamics of how things work at the legislature. Rules cover a wide range of issues -- everything from descriptions of leadership roles and codes of legislative conduct to advance notice of hearings and the order of business during session.

Here are a few questions we received from patrons, with answers drawn from the rules:

**Is there one place to find an overview of the various standing committees?** *Both chambers have "Committees"*

*(Continued on page 2)*

### 2016 Legislative Timetable

#### March

- 24<sup>th</sup> Second Lateral (Bills): Bills must be moved to their final committee in non-originating chamber
- 25<sup>th</sup> Holiday: Kuhio Day; Good Friday
- 29<sup>th</sup> First Lateral for Concurrent Resolutions

#### April

- 7<sup>th</sup> First Crossover for Concurrent Resolutions
- 8<sup>th</sup> Second Decking (Bills): Last day to file bills for Third Reading in non-originating chamber
- 14<sup>th</sup> Second Crossover (Bills) & Last day to disagree
- 22<sup>nd</sup> Constitutional Amendments: Deadline for final form
- 25<sup>th</sup> Second Crossover for Concurrent Resolutions
- 28<sup>th</sup> Last day to file Non-Fiscal Bills to deck for Final Reading
- 29<sup>th</sup> Last day to file Fiscal Bills to deck for Final Reading

#### May

- 5<sup>th</sup> Adjournment *sine die* (Session pau!)

#### Governor's Deadlines

#### June

- 27<sup>th</sup> Notice of intent to veto deadline (35<sup>th</sup> day after adjournment *sine die*)

#### July

- 12<sup>th</sup> Veto deadline (45<sup>th</sup> day after adjournment *sine die*)

### In this Issue

- ▣ Rules, Rules, Rules!.....page 1
- ▣ 2016 Legislative Timetable..... 1
- ▣ Deadlines: Second Decking and Second Crossover..... 2
- ▣ Diversity of Process ..... 3
- ▣ Website Resources: Reports and Lists ..... 4
- ▣ Learning Sessions: Brown Bag Workshops..... 4

## "Rules, Rules, Rules!" (Continued from page 1)

sections in their rules (Part II of the Senate Rules and Part III of the House Rules) that spell out the jurisdictions and purview of the standing committees.

**Why do some Senate committees hold a public "decision making" rather than a "hearing" on certain bills?** Go to Senate Rule 23. For a bill to pass through all its committees, the Senate rules state that while there must be at least one public hearing to provide the public with the opportunity to testify, not every committee it passes through must hold a hearing. This differs from House Rule 11.5 (4) -- take a look.

**Why did the committee chair mention getting "prior concurrence" before considering a vote to amend a bill?** Check out Senate Rule 17 (2) or House Rule 13.1 (3) -- you'll find that the chair of the subject matter committee, or the committee which has primary responsibility over programs and matters of a bill, continues to hold some power over the fate of the legislation after it has left their committee.

**Where do I find rules governing motions and debate on the floor?** Read through Parts VI and VIII of the Senate Rules ("Motions" and "Order; Debate; Voting") and Part IX of the House Rules ("Motions; Debate"). Both chambers cite Mason's Manual of Legislative Procedure (2010 Edition) as the further guide to parliamentary procedure.

**Is there a timeframe for Senate committees considering the Governor's appointments to boards and commissions?** Senate Rule 37 ("Nominations; Appointments") addresses the timeframe for the process and other guidelines.

Note: A majority of the members must approve suspension of or changes to the rules, and appropriate notice is required for any changes. (See Senate Rule 87 and House Rules 57-58.)

**Where are the rules?** Look for the bars appearing in the upper right of the Legislature's homepage ([capitol.hawaii.gov](http://capitol.hawaii.gov)). Click on either the one marked "[Senate](#)" or the one labeled "[House](#)." On the resulting page, among other interesting links, you'll find a link to the rules governing that chamber.

**Take a moment to explore!**

Senate Rules: <http://capitol.hawaii.gov/docs/SenateRules.pdf>

House Rules: <http://capitol.hawaii.gov/docs/HouseRules.pdf>

## **Get to Know Your Deadlines: Second Decking and Second Crossover**

*"second verse,  
same as the first!"*

### **Second Decking**

For a bill to become law, in addition to passing through all the committees to which it's been referred, it must pass three separate readings, or votes, in each chamber. The Second Decking deadline is the date by which a bill must be filed with the non-originating chamber's Clerk for Third Reading. This year, Friday, April 8<sup>th</sup> is the Second Decking deadline.

The Hawaii Constitution, Article III, Section 15 states in part, "**No bill shall become law unless it shall pass three readings in each house on separate days. No bill shall pass third or final reading in either house unless printed copies of the bill in the form to be passed shall have been made available to the members of that house for at least forty-eight hours.**" The decking deadline ensures bills meet this 48-hour requirement prior to the especially critical Third Reading. What does this mean if your bill is currently sitting in committee? To survive, it must be passed and reported out of its last committee in time to meet the Second Decking deadline.

### **Second Crossover**

After a bill is decked, it must pass Third Reading on or before the next deadline, Second Crossover. This year, April 14<sup>th</sup> is the Second Crossover deadline. Any bill that has not successfully passed three readings in its non-originating chamber by that date will fail to move forward. Bills that do pass Third Reading will "cross over" and go back to the originating chamber.

## Diversity of Process: Variations on Democracy

Government "of the people by the people and for the people" is the principle on which our democracy is based, but how the ideal of democracy is implemented can vary. The legislative branch -- the branch of government that makes the laws -- consists of members called legislators who are elected by citizens to serve as the citizens' representative in government. In addition to making laws and guiding policy, legislators may also help decide *how* laws are made. On the state level, constitutions and legislators have established different rules and procedures so that the form of democracy varies from state to state. Let's take a look at several variations on democracy from across the United States.



### New Hampshire

Even though its population is comparable to Hawaii's, New Hampshire's 424-member legislature is the largest in the United States (400 Representatives, 24 Senators). There is one Representative for every 3,317 people or so in New Hampshire. By contrast, members of the Hawaii's 51-member House of Representatives serve an average of 27,843 constituents.

### Nebraska

Nebraska is particularly unique because it is the only state that has a unicameral and nonpartisan legislature. Nebraska switched from a bicameral to a unicameral legislature with only one chamber in 1937. A nonpartisan legislature means political parties are not listed on election ballots, and leadership positions are not based on party affiliation. Like Hawaii's legislature, bills are referred to committees and the public is given an opportunity to testify in support or opposition. Bills in the Nebraska legislature need to be debated at least two times on the floor before final passage; in contrast, Hawaii's bills must pass at least three readings in each chamber of the legislature to succeed.



### Voting

For bills to pass Third or Final Reading on the floor in Hawaii, more than half of the members to which the chamber is entitled (51 for the House, 25 for the Senate) must vote "aye" or "aye with reservations." Some states, however, require more than a simple majority. Arkansas, for example, requires a three-fourths majority for all bills that appropriate money, except for bills relating to education, highways, and paying down the state debt, which require a simple majority. (FYI - To override a veto in Hawaii, two-thirds of the members of each chamber must vote to override.)

### Term Limits

While many states - including Hawaii - do not place term limits on legislators, others do. Nevada limits Representatives to six two-year terms, and Senators are limited to three four-year terms. Oklahoma and California limit legislators to 12 years in either chamber combined.



### Legislative Sessions

The Hawaii State Legislature is bi-ennial, but it convenes annually. Some states including Texas, North Dakota, Montana, and Nevada meet regularly once every other year. The length of the legislative session can also vary, with some states like New Mexico and Wyoming lasting for less than a month, and other states such as Wisconsin, Illinois, Ohio, Pennsylvania, New Jersey, and Massachusetts with sessions stretched throughout the calendar year. Hawaii's legislative sessions last for 60 session days -- this year, that's from January 20<sup>th</sup> to May 5<sup>th</sup>.



Whatever form democracy takes in the state legislatures, they all have one thing in common: the people. Without the people's involvement in government through voting in elections, legislative advocacy, and other forms of civic engagement, the legislature cannot credibly speak on behalf of those whom they represent. By familiarizing yourself with the characteristics of Hawaii's legislative process and making your voice heard, you can help make Hawaii a better place for us all.

## Website Resources: "Reports and Lists"

Legislature's website =  
[capitol.hawaii.gov](http://capitol.hawaii.gov)

### Our Favorite Page!



While we don't have room to delve into all the very useful tools available on the "Reports and Lists" page of the [Legislature's website](http://capitol.hawaii.gov), we do want to give you a taste of what you'll find if you explore for yourself. By clicking on the "[Reports and Lists](#)" button (it's the last of the six buttons that appear center screen), you'll have access to:

- **Deadline Tracking:** Find all measures introduced, or the ones that have survived significant deadlines. The reports are searchable, sortable, and download-able. This is also where you'll find the list of acts, resolutions adopted, and vetoed items.
- **Advise and Consent:** A quick way to access and search through all the nominees.
- **Committee Referrals:** Select a committee, then find all bills still in that committee, what's been reported out, and so much more.
- **Conference Committee:** Tools to help you navigate during the end-of-session process.
- **Daily Updates:** Select a date and find all documents published that day.
- **Hearing Notices:** Especially helpful for finding past hearing notices.
- **Measures by Introducer:** Select a legislator, then select all measures they were the "first primary" introducer on, or the ones they've signed onto in support, or many other options.
- **Measures by Package:** Select a package of measures, and easily search for bills or see how a particular group of legislation is faring.
- **Pending Actions:** A great tool at decking and crossover time, allows you to view measures pending particular votes.
- **Standing Committee Reports:** A quick way to find reports by number.
- **Subject Search:** A fabulous way to search for measures you know are in the system -- just enter a word or phrase from a bill or resolution's title, keywords, or description. Results are easy to navigate.

*Note: Information from past sessions, back to 2013, is also available. Just select a different year from the drop-down menu that appears upper left on the "Reports and Lists" page.*

## Learning Sessions

### Brown Bag Workshops

In April we will be offering a series of "Legislature 201" workshops for the public.

**Bring your lunch and join us!**

Please call or email to sign up! (587-0478 or [par@capitol.hawaii.gov](mailto:par@capitol.hawaii.gov)).



- ❖ **Floor Sessions and Orders of the Day: Tuesday, April 5<sup>th</sup> or Thursday, April 14<sup>th</sup>; 12 noon-1 p.m.**  
*Learn about what takes place on session days in the House and Senate chambers (and why it's important); understand some of the rules and traditions governing floor proceedings; become comfortable interpreting and following the agendas.*
- ❖ **Conference Committees: Thursday, April 7<sup>th</sup> or Tuesday, April 12<sup>th</sup>; 12 noon-1 p.m.**  
*Understanding this end-of-session process can be a challenge for everyone. We'll offer some tips, information, and strategies that can help.*

### "We the Powerful" Workshops

You can still participate in our standard "We the Powerful" workshop -- just call or email to schedule a time! The presentation includes: understanding the legislative process, delivering effective testimony, using the Legislature's website, and an overview of other resources. Let us know your level of knowledge and experience, and we will do our best to tailor the session accordingly.