

PUBLIC ACCESS ROOM

A division of the Legislative Reference Bureau

NEWSLETTER

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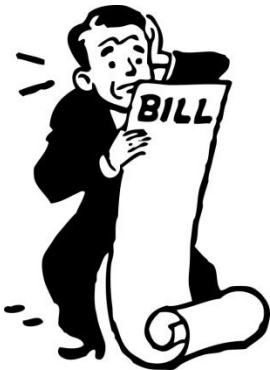
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Session Is Pau: What Now?

How to Lobby the Governor, Resurrect your Bill from the Dead, and Use the Interim to your Advantage



Scenario #1: My bill has been sent off to the Governor... now what?

First of all, congratulations! Not many bills get this far. Most fall casualty to the many deadlines throughout session. Now, how to communicate with the Governor's Office? Some of the tips for dealing with the Executive Branch may sound familiar – use the bill number, be clear, be concise, be polite and professional. Clearly identify yourself and include contact information in case there are questions or someone wants to get in touch with you.

In addition to receiving analysis and comment from the executive departments, the Governor welcomes the public's views as he decides which bills to sign into law, which ones he'll allow to become law without his signature, and which should be vetoed and returned to the legislature with a statement of his objections. (See the following article for an explanation of pertinent deadlines.)

Just go to the Governor's website (<http://governor.hawaii.gov>), click on 'Contact the Governor' under the "Contact Us" tab, and use the form to send your message. While you're on the website, look around – the Governor's office may add a special link or email address exclusively for use by people wanting to add their voices to the legislative review process.

Scenario #2: My measure didn't go through as I'd hoped, and now there's no chance of any last minute re-referrals, a change of mind on the part of a key legislator, or a truly imaginative conference committee draft. Is it time to give up? Should I just go home and hope that it's revived in January 2016?

Not a chance! After reacquainting yourself with life outside the legislative realm (say hello to your family and friends!), there's plenty to do to better your chances of success in the 2016 session. While it's true that a lot of the activity takes

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2015 Legislative Timetable

- April**
- 27th Second Crossover for Concurrent Resolutions
- 30th Last day to file Non-Fiscal Bills to deck for Final Reading
- May**
- 1st Last day to file Fiscal Bills to deck for Final Reading
- 7th Adjournment *sine die* (Session pau!)

Governor's Deadlines

- June**
- 29th Notice of intent to veto deadline (35th day after adjournment *sine die*)
- July**
- 14th Veto deadline (45th day after adjournment *sine die*)

Looking ahead...

January 20th, 2016 = Opening Day of 2016 Session

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place during session, there's much that can be done to lay the groundwork so that next January, you've got a good game plan in mind. Here are a few items you may want to add to your 'to do' list.

Interim 'To Do' List



□ **Make notes now – while Session's still fresh in your mind!**

As much as you may want to put it behind you, debrief now. Sit down with pen and paper (or at the keyboard), and your colleagues, and put it all down. 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?

□ **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, and talk with colleagues. Do some good old-fashioned research and make yourself more of an expert.

□ **If your bill didn't make it this year, it still has a chance next year!**



Because our Legislature operates on a biennial (two-year) cycle, any bill introduced in the first year of the biennium that is still pending (hasn't passed the legislature) at final adjournment isn't officially dead unless it fails to meet legislative deadlines in the second year of the biennium. Bills that do not pass the Legislature in the first year of the biennium are affectionately known as "carryover bills" because they "carry over" to the second year. [Article III, Section 15](#) of the Hawai'i State Constitution provides, "Any bill pending at the final adjournment of a regular session in an odd-numbered year shall carry over with the same status to the next regular session." That is, if a bill is stuck in a particular committee in the first year, that's exactly where it will be waiting at the start of the next session.

There could be a variety of reasons why bills do not advance during a legislative session, so it's a good idea to reach out to the Chair or members of the Committee in which your bill died to find out why the bill was deferred or not scheduled for a hearing, and to offer facts or information to help support your cause. The bill's author or your own Representative and Senator can also be good allies in helping to advance discussion on a bill. While the Legislature can and does pass carryover bills, some legislators may choose to introduce the same measure as a brand new bill (with a new bill number) in the second year of the biennium, with the hope of generating renewed interest. They could also introduce modified versions, incorporating new language to address any concerns raised during the hearing process.

□ **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 timeline 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!

Final Decking and Governor's Timeline

Final Decking

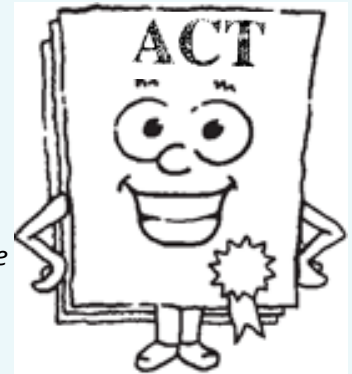
Final decking is the deadline for bills to be in their final form and available for review by the members of the House and Senate at least 48 hours prior to final reading. This deadline applies to bills amended by the non-originating chamber and whose differences have been resolved – either by the conference committee coming up with a new draft, or the originating chamber's conferees subsequently voting to agree with the non-originating chamber's draft.

There are two separate final decking deadlines: the "non-fiscal" deadline (April 30th this year) applies to non-financial bills; the "fiscal" deadline (May 1st this year) applies to all bills with financial implications. (Quick check: if the bill was referred to WAM or FIN, it's "fiscal.") Under the final decking process, once a bill is "decked," it is put on the calendar for final reading in the House and/or Senate. Final reading for the majority of decked bills will be held on May 5th. The Legislature may hold final reading on a handful of bills on May 7th, the last day of session.

Important Timelines (Final Step for a Bill to Become a Law)

If a bill successfully passes through both chambers of the Legislature, it needs to be presented to the Governor.

The procedure for enactment, which is defined in [Article III, Section 16](#) of the Hawai'i State Constitution, varies depending on when the bill is delivered to the Governor and the Governor's subsequent action or inaction in considering the bill. (*In computing the number of days designated below, the following days are excluded: Saturdays, Sundays, holidays, and any days in which the Legislature is in recess prior to its adjournment.*)



- **If the bill is sent to the Governor on or before April 21, 2015** (10 or more days before adjournment of the Legislature *sine die*), then...
 - 1) If the Governor signs the bill within 10 days, the bill becomes law and is given an Act number.
 - 2) If the Governor neither signs nor vetoes the bill within 10 days, the bill becomes law without the Governor's signature and is given an Act number.
 - 3) If the Governor vetoes the bill within 10 days, the bill does not become law unless the Legislature reconsiders the bill before adjournment *sine die* and overrides the veto by a 2/3 vote in each chamber.
- **If the bill is sent to the Governor after April 21, 2015** (less than 10 days prior to adjournment *sine die*), then...
 - 1) If the Governor signs the bill by **July 14, 2015** (the 45th day after adjournment *sine die*), the bill becomes law and is given an Act number.
 - 2) If the Governor neither signs nor vetoes the bill by **July 14, 2015** (the 45th day after adjournment *sine die*), the bill becomes law without the Governor's signature and is given an Act number.
 - 3) If the Governor intends to veto the bill, the Governor must inform the Legislature by **June 29, 2015** (the 35th day after adjournment *sine die*) and deliver the veto by **July 14, 2015**. If the bill is vetoed, it will not become law unless the Legislature successfully overrides the veto in special session by a 2/3 vote in each chamber. The Legislature must convene in special session at or before noon on **July 14, 2015** to override the Governor's veto.

Note: The date that a bill goes into effect as law can be found in its last section.

Questions? The Public Access Room (PAR) is happy to help -- 808/587-0478 or par@capitol.hawaii.gov.



Which Bills Ended up Passing the Legislature?

Now that Session is almost over, there's a growing list of bills that have already passed the Legislature!

A bill that successfully passes out of the Legislature will be sent (formally, "enrolled") to the Governor for consideration. To find a complete listing of all the measures that passed, go to the Legislature's website (capitol.hawaii.gov), click on "[Reports & Lists](#)," and it opens in "Deadline Tracking" mode. Scroll down to the second-to-the-last box on the right-hand side (entitled "Legislature") and click on the link, "[Bills that Passed Legislature](#)." You will see the list continue to grow as more and more bills are added to the rolls.

When a bill becomes a law, the bill becomes known as an Act. To view all the 2015 Acts, once again go to "[Reports & Lists](#)," scroll down under "Deadline Tracking" to the *last* box on the right-hand side (entitled "Governor's Actions") and click on "[List of Acts](#)." Once in the report, to view the Governor's Message conveying the legislation, followed by the legislation with the official "Act" stamp, just click on the hyperlinked Act number itself.

What if your bill passed the Legislature but it has not yet appeared on the list of Acts? Well, since the Governor may have until July 14th to decide what to do with your bill, you may need to wait patiently. Read the other articles in this newsletter -- you'll want to know the upcoming deadlines and be sure to let the Governor know what you think!

State Calendar



Here at PAR, we focus on the Legislature and events taking place at the Capitol. But there's a lot more going on! Following the meetings of the various State boards, commissions, and agencies can be incredibly useful in understanding and affecting ongoing issues regarding the implementation of laws and the operation of State government.

There's an entire chapter in the Hawaii Revised Statutes entitled "Public Agency Meetings and Records" ([HRS Chapter 92](#)), and it opens with a statement on the importance of openness in the formation and conduct of public policy ([HRS §92-1](#)). So, where to find all these meetings that are taking place? The [State Calendar](#) is an online resource which provides you with links to meeting information and agendas.

You can access the calendar in a couple of formats:

- 1) To view a **quick list** of all the meetings scheduled for today (or a particular date in the future), go to <https://portal.ehawaii.gov/government/calendar>. Click on an event for further details and a link to the event's agenda posted on the official State Calendar page.
- 2) If you are interested in a particular board or commission, or don't know the exact date for a meeting, you will want to visit the **official State Calendar page** located at <https://calendar.ehawaii.gov>. (If you forget this address, just go to the State of Hawaii's website, <https://portal.ehawaii.gov/government>, enter "Calendar" into the Search Box, and click on the link to the Statewide Calendar.)

Here you will be able to use the dropdown menu to select a particular department, board, or commission, or you can select "All" to view everything. You'll then be able to use a variety of search options to further refine or broaden your search. Events will be presented with links to their agendas. If you have questions, most agendas will have staff contact information listed. (If you need help finding that contact information, feel free to contact us in PAR, and we'll be happy to help you track it down.)

PAR Hours

Through May 7th (end of 2015 Session): **Monday - Friday, 7:45 a.m. – 6:00 p.m.**

May 8th (start of interim) - January 19th (the day before 2016 Session starts!): **Monday - Friday, 8:00 a.m. – 4:30 p.m.**

Quote from the File . . .

“When you doubt your power, you give power to your doubt.”

- Honore de Balzac