

# 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: [LRBhawaii.org/PAR](http://LRBhawaii.org/PAR)

### CONTACT US!

#### Public Access Room (PAR)

Phone ..... (808) 587-0478  
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



## Committees and the Public Hearing Process

We're well into the second month of this year's legislative session, and we've received numerous questions about committees and the role they play in the legislative process. It seems to be an ideal time to shed some light on committees and the work they do.

### 2017 Legislative Timetable

#### March

- 3<sup>rd</sup> First Decking: Last day to file non-budget bills for Third Reading in originating chamber
- 9<sup>th</sup> First Crossover (Bills)
- 10<sup>th</sup> Last day to introduce Substantive Resolutions
- 13<sup>th</sup> Budget Decking
- 15<sup>th</sup> Budget Crossover
- 16<sup>th</sup> Second Triple Referral Filing (Bills)
- 24<sup>th</sup> Second Lateral (Bills): Bills must be moved to final committee in non-originating chamber
- 27<sup>th</sup> Holiday: Kuhio Day
- 29<sup>th</sup> First Lateral for Concurrent Resolutions

#### April

- 6<sup>th</sup> First Crossover for Concurrent Resolutions
- 7<sup>th</sup> Second Decking (Bills): Last day to file bills for Third Reading in non-originating body
- 13<sup>th</sup> Second Crossover (Bills) & Last day to disagree
- 14<sup>th</sup> Holiday: Good Friday
- 21<sup>st</sup> Constitutional Amendments: Deadline for final form
- 24<sup>th</sup> Second Crossover Concurrent Resolutions
- 27<sup>th</sup> Last day to file Non-Fiscal Bills to deck for Final Reading
- 28<sup>th</sup> Last day to file Fiscal Bills to deck for Final Reading

#### May

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

### Committee Structure

The primary role of the Legislature is to make laws. In order to make that complicated process a bit more manageable, members of the House and Senate organize themselves into various standing committees. There are 15 of them in the Senate and 20 in the House, established by the organizational rules of the House and Senate (specifically, [House Rule 12](#) and [Senate Rule 16](#)). Committees are named for the program area that they are responsible for, and vary in size and legislative scope. Besides being tasked with making decisions on specialized areas of legislative interest through the public hearing process, committees also have oversight responsibility to monitor state agencies and programs that fall under their purview. Committee memberships are based on proportional representation between the majority and minority

*(Continued on page 2)*

### In this Issue

- Committees and the Public Hearing Process ..... pgs 1-4
- 2017 Legislative Timetable..... 1
- Legislative Jumble ..... 4
- Resolutions ..... 4
- PAR Session Hours / Workshops ..... 4

parties. Majority leadership designates the chair, vice-chair, and majority members. The minority leadership designates the minority members on each committee. Committee appointments are determined by the caucuses informally, and then confirmed by the respective chambers via resolution or announcement on the floor.

**TIP:** To view the current committees, visit the Legislature's website at [capitol.hawaii.gov](http://capitol.hawaii.gov) and click on the "Committees" tab in the center of the homepage.



### Power of the Chair

One of the ways committee chairs play a major role in the decision-making of the Legislature is their power to decide which measures to take action on. Bills that are not scheduled for a hearing or decision-making will miss legislative deadlines and die. The chair

also determines what action to take on the bills they hear, such as whether or not to hold a vote. When voting, the chair determines whether the vote is for the bill as is or with certain amendments. After passage, the chair is responsible for production of the amended draft of the bill and the accompanying committee report. In addition, chairs make expenditure recommendations to the money committee (WAM or FIN) for bills requiring appropriation that fall in the subject area of the chair's committee. They also have the power of "prior concurrence," which means their approval is required before a subsequent referral committee can make substantive changes to a bill if the subject matter is under the first committee's purview. These are some of the ways committee chairs wield power at the Capitol.

**TIP:** If you are tracking particular bills, identify which committees they've been referred to. If you support a bill that has not been scheduled for a public hearing, contact the chair of that committee and ask that the bill be scheduled for a hearing. If the bill is scheduled for a hearing, testify and get others to testify too! Advocacy at every point in the process is important. However, you aren't limited to supporting a measure. If you identify a bill that you don't like, you can also contact the chair and ask that the bill not be scheduled for a hearing. You can find contact information for committee members, including the chair and vice chair, on the Legislature's website, but convenient lists are also available on the "[Information Sheets](#)" page of PAR's website ([LRBhawaii.org/PAR](http://LRBhawaii.org/PAR)).

### The Public Hearing Process

In order for a bill to become law in the State of Hawai'i, a bill has to pass three readings (votes) on the floor of each chamber. The process also calls for the bill to move through every committee to which it is referred, and generally committees cannot pass bills without first holding a public hearing.

[House Rule 11.5](#) specifies that no bill shall be reported out of a committee unless it receives a public hearing, and [Senate Rule 23](#) requires at least one Senate committee to hold a public hearing on a bill before it can be passed out of the Senate. Public hearings are an integral part of the Legislature's work at the Capitol and key to the public's participation in the legislative process. They provide individuals and interest groups with an opportunity to share their thoughts, views, opinions, and perspectives on measures under consideration by a committee, and allow committees to gather information and publicly make recommendations on those measures.



After bills are introduced and go through their initial reading in their chamber of origin (or non-originating chamber after crossover) they are assigned to one or more committees by leadership in the House or Senate (depending on which chamber the bill is in). These assignments are known as referrals. Bills can have one or

(Continued on page 3)

more referrals. The more referrals a bill has, the more difficult the road to passage becomes. Bills can also be referred to joint committees, two or more committees meeting together.

The first committee a bill is referred to is known as the "subject matter committee" because the scope of that committee best covers the subject matter of the bill. For example, a House bill relating to health insurance may be referred to the Health committee first, and then continue on to Consumer Protection and Commerce or Finance.

**TIP:** To identify the number of referrals a bill has, count the number of commas between the committee acronyms on a bill's status page and add one. Joint committees still count as one referral. The number of referrals a bill has triggers the legislative deadline(s) that will apply. We've created a [handout](#) that can help! ([LRBhawaii.org/PAR/pub/deadlines.pdf](http://LRBhawaii.org/PAR/pub/deadlines.pdf))

Once committee referrals have been made, the committee chair can decide which bills to hear and issue hearing notices. Decisions on whether or not to hear a bill are based on a variety of factors, including but not limited to: the perceived merits of a bill, public or political interest, requests from colleagues or the public, and the legislative timetable. The committee must file a

**TIP:** Pay particular attention to testimony instructions listed on the notice.

Committees ask that testimony be submitted 24 hours prior to the hearing. While testimony may be accepted after the deadline, since that is up to the chair's discretion it is best to contact the chair's office or vice chair's office (for House Committees) for confirmation.

public hearing notice at least 48 hours prior to the start of a hearing. This 48-hour notice is required to provide the public with enough time to prepare testimony and make plans to testify before the committee in person. (Note: In the Senate, the first referral committee publicly posts notice of meetings and decision-making sessions at least 72 hours before the meeting.) Hearing notice requirements can be waived by the Senate President or House Speaker on the chamber floor by request of a committee chair, although this is not a request that is made very often. Public hearing notices denote the date, time, and location of the hearing and include instructions on submitting testimony.

## Testimony and Decision Making



At the hearing, the committee chair (or vice chair, in the chair's absence) calls on testifiers and listens to oral testimony on the bills listed on the hearing notice. Members can ask questions of testifiers as part of the fact-finding process. The committee also reviews all written testimony submitted. After the committee receives testimony on all bills on the hearing notice, they recess for decision-making. During the decision-making process, the chair and members discuss how they want to proceed. The chair will gavel the hearing back to order and make recommendations on what to do with the pending legislation. A bill can be passed unamended (with no changes), passed with amendments (with changes), deferred until a certain date/time (put off voting), deferred indefinitely (put off voting indefinitely), or tabled (killed). The vice chair takes the votes of the committee members. Votes can only be taken if there is quorum (majority of the members present). Deferring a bill may allow the committee more time to consider it, gain consensus, or prepare an amended draft for the future vote by the committee. If a bill is deferred indefinitely, the committee has to bring the bill back for public decision-making to pass it. If not, the bill simply stays in that committee.

After the committee passes a bill, the chair's office is responsible for drafting the committee report and amendments (if any) and filing them with the chief clerk's office with sufficient time for the bill to meet legislative deadlines and move forward. These reports summarize the discussion in committee and include the findings and recommendations of the committee, including any amendments, for consideration by the chamber.

**TIP:** Committee reports are available on a bill status page after they're filed. The reports are a convenient place to find a summary of the changes made between one draft of a bill and the next.

(Continued on page 4)

Committee staff help to make the whole process run smoothly, and you'll see them working at quite a pace as hearings and legislative deadlines approach. Each chair and vice chair has a committee clerk working with them to help to take the lead in processing testimony, preparing for hearings, conducting research, and otherwise assisting with the work of the committee. Committee members also have staff who help them as they keep on top of the large volume of information and activity.

**TIP:** You can find a list of committee clerks on the "[Information Sheets](#)" page of PAR's website ([LRBhawaii.org/PAR](http://LRBhawaii.org/PAR)).

**We hope this overview has helped you develop a deeper understanding of committees and the work they do here at the Capitol. As always, let us know if you have more questions!**

### Legislative Jumble

Unscramble these four words, one letter to each space, to form four legislature-related words. Then arrange the circled letters to form the surprise answer, as suggested by the cartoon. Want the answers? Contact PAR!

H B R A C M E    \_ ( ) \_ \_ \_ ( )  
E I S T L G L R A O    \_ ( ) \_ ( ) \_ \_ ( ) \_ \_ \_  
N S I S O S E    \_ \_ \_ \_ \_ ( ) \_ ( )  
T D B E U G    \_ \_ ( ) ( ) \_ \_

Print your answer here: \_ \_ \_ \_ \_ \_ \_ \_ \_ \_



He brought an assistant with him to the Capitol to serve as his \_\_\_\_\_.

### "Whereas the deadline for resolutions is fast approaching..."

March 10<sup>th</sup> is the deadline for introducing concurrent resolutions.

Wondering what a resolution is and whether it can be of use to you and your issue? We've got a nice overview and Frequently Asked Question page for you.

Just head to the Public Access Room website ([LRBhawaii.org/PAR](http://LRBhawaii.org/PAR)) and click on the "[Information Sheets](#)" page -- you'll find our "[Exploring Resolutions](#)" handout.

### PAR Hours

Monday - Friday

7:45 a.m. - 6:00 p.m.

(until May 4<sup>th</sup>)

### Workshops

Learn more about the legislative process and how you can participate easily and effectively. Attend one of PAR's free "Your Voice" workshops – offered in the Public Access Room (Room 401) on **Tuesdays at 12:00 noon.**

**Please call (587-0478) or email ([par@capitol.hawaii.gov](mailto:par@capitol.hawaii.gov)) to sign up!** Let us know your level of knowledge and experience, and we can tailor the workshop for you. **Have a group you'd like to get involved?** Contact us to set up a workshop specifically for your group. They're free (and we promise you'll learn something).