

How to Have A Voice in Kauai County's Legislative Process

Definitions:

- “Legislative” refers to the law-making process (as compared to the administrative or executive function).
- “Bill” is a proposed law
- “Ordinance” is a law at the local level. See below: “The Process: How a Bill Becomes a Law”
- “County Code” is the formal compilation of all county ordinances.
<http://qcode.us/codes/kauaicounty/>
- “Resolution” is a formal expression of opinion or policy by the Council that is usually non-binding.

The Process: How a Bill Becomes a Law

See <http://www.kauai.gov/council/legislativeprocess>

See also brochure: “How A Bill Becomes An Ordinance”

Obtaining Information So You Can Participate in an Informed Way

TIP 1. Consider subscribing to “Email Notifications” on Council homepage [<http://www.kauai.gov/council>] by giving your email address and clicking “Subscribe.” Each week you will receive a copy of the agenda for the upcoming meeting with links to all attachments.

TIP 2. If you ever have trouble following these directions, the Council Services staff is extraordinary in their commitment to delivering excellent customer service. You can always consult them for help. You can reach Council Services at 241-4188 or email cokCouncil@kauai.gov.

How can I find a bill?

Three methods:

1. Go to council agenda [<http://www.kauai.gov/Council/CouncilMeetings>] for the meeting in which bill was introduced on first reading. This assumes you know the date of introduction. Scroll to agenda item and click on link.
2. Visit the County Council public hearings page [<http://www.kauai.gov/council/publichearings>]. Use the “Find” feature in browser to search by bill number or subject matter (use only number; do not include the word, “Bill;” when searching by subject matter you must be very precise or find keyword). Scroll down to find highlighted number or word until you find the public hearing notice on the bill you want. Scroll through the public hearing notice to find a copy of bill attached.
3. Contact Council Services staff should you have any questions, or to request a specific item. This is especially recommended if you wish to receive the most accurate information as to whether bills may have been amended, deferred, etc.

How can I find proposed amendments to a bill?

Amendments are introduced during council or committee meetings and are not available in advance due to the Sunshine Law

[<http://oip.hawaii.gov/laws-rules-opinions/sunshine-law/>]. Once amendments have been introduced on the floor, they are public record and are required to be available to the public, but you will have to ask council staff for them. Amendments that have been introduced are also attached to the respective minutes or committee reports as part of the record and become available once the minutes or committees reports are approved; however, it takes several weeks for minutes and committee reports to be prepared and approved.

If you wish to access amendments immediately or prior to the issuance of minutes or a committee report, the best way is to request copies from the county clerk’s office or a councilmember. This will enable council staff or the councilmember to explain which amendments passed, and provide you with the most current information.

How can I get a copy of a bill that was approved by the county council and see how CMs voted?

Look for the version of the bill that passed second and final reading. However, a bill that passes second reading is not usually posted on the web until the minutes or

committee report is approved and posted, which usually takes several weeks after respective passage. It is best to ask council staff or a councilmember for a copy of a recently passed bill. On the last page of the bill there will be a certification by the county clerk that the bill passed second reading and a tally showing how each councilmember voted. If you want to know the reasoning behind the vote, you will need to look at the minutes or view the recording of the meeting at which the bill passed second and final reading.

How can I get a copy of an ordinance that has become law?

Ordinances are available at <http://www.kauai.gov/Council/Ordinances>. On that page, you will be told that there are two groups of ordinances:

1. ordinances that have been codified — i.e., incorporated into the Kauai County Code <http://qcode.us/codes/kauaicounty/> — can be searched by subject matter or ordinance number;
2. ordinances passed so recently that they have not yet been included in the county's online Kauai County Code. For ordinances enacted after the cut-off date, click on the Code Alert link which is also on the Code webpage.

If you cannot find the ordinance you are looking for in the online county code or in the Code Alert, contact Council Services and they will provide this information by bill or ordinance number.

How do I find testimony that has been submitted on a pending bill?

Any testimony is public record; however, testimony is not regularly posted on the council's website. To secure copies of any testimony, you need to call Council Services. If you know specifically which testimony you want (by name of testifier, subject matter or bill number, and the approximate submittal date), getting it should be pretty simple. However, if your request is for all testimony on a certain bill or agenda item, you may wish to file a formal UIPA Request <http://oip.hawaii.gov/forms/> under the Uniform Information Practices Act. This will mean, however, a potential wait period of ten business days.

How do I find out when a public hearing is scheduled?

See the Notice of Public Hearings at the Council Public Hearing Notices & Minutes page [<http://www.kauai.gov/Council/PublicHearings>].

How do I find the video recording of a past council meeting?

Visit <http://www.kauai.gov/WebcastMeetings> and scroll down past “Upcoming Events” and click the County Council tab for agendas with attachments, Video, MP3 and MP4 files, and captions of the meetings. After you have opened video, if you are looking only for a certain segment of the meeting, click on the specific agenda item to go directly to that segment. Public access television channel 53, Hoike, also provides videos of the most recent council meeting for about a week.

How do I watch a council meeting live?

Visit <http://www.kauai.gov/WebcastMeetings> Click on current date.

How can I submit testimony on a bill?

- Send e-mail testimony up to one hour prior to the posted meeting time to counciltestimony@kauai.gov. The sooner the better to give staff time to make copies and get to councilmembers.
- Hand carry and submit written testimony to the Office of the County Clerk, Council Services Division at least thirty minutes prior to the posted meeting time.
- With enough time, you can mail your testimony via U. S. Postal Service to Council Services at 4396 Rice Street, Lihue, HI 96766
- Fax signed testimony to (808) 241-6349 at least one hour prior to the posted meeting time.
- Show up at meeting in Council chambers in Historic County Building (4396 Rice Street, Lihue) and testify. Fill out the form when you arrive and you will be called to speak when it is time. Try to keep your testimony under three minutes. If needed, you will be able to return and speak for a second three minutes after all have spoken for their first time.