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By Associated Press

POSTED: 02:52 p.m. HST, Apr 09, 2014 LAST UPDATED: 03:32 p.m. HST, Apr 09, 2014



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A series of bills that lawmakers passed in the Hawaii Senate were drafted without giving the public the proper chance to weigh in, following a "gut-and-replace" maneuver scorned by government watchdog groups.

"Gut-and-replace" is a term for what happens when a bill is stripped of its original content and replaced with something entirely different, or changed so dramatically that it no longer resembles the original proposal.

The state Senate approved at least six bills that were either "gut-and-replace" or "Frankenstein" proposals — a term for bills that were revived from the dead, said Sen. Les Ihara.

"It's one of the practices by the Legislature that is held in disdain by the public," Ihara said. "My interest is in fostering trust in the legislative process, and I believe this fosters distrust."

In one maneuver, senators tacked two Senate bills — one of which died in the House — onto a barely related House agriculture bill (HB 2486). The additions suggest spending state money to develop programs on property owned by Dole Food Company in Central Oahu, according to property records.

One of the measures proposed creating foreign agricultural trade zones, and the other proposed creating a "technology park" to promote collaboration between the agriculture and technology sectors on the same plots of land. Both of those additions were bills originally introduced by Sen. Donovan Dela Cruz. He and a representative from Dole did not immediately respond to requests for comment.

Critics have tracked at least 10 gut-and-replace bills so far this session, although there may be more out there, said Janet Mason, legislative chairwoman of The League of Women Voters.

She said the technique was widely used this year, on bills about topics from genetically modified foods to ethics.

One bill, House Bill 493, would have made it a crime to catch pet dogs or cats in a trap set out for bears. But when that bill moved over to the Senate Judiciary and Labor Committee, lawmakers there dropped all

the animal trap language and swapped in new rules banning the unlawful sale or trade of ivory from elephants, whales and other creatures. Sen. Clayton Hee, who is chairman of the committee, did not immediately return a call seeking comment.

Some bills look entirely different from original drafts. In other cases, the changes are more subtle.

"We're very disappointed that the leadership of the Legislature hasn't stepped forward to try to shut this process down more effectively," Mason said.

Senate President Donna Mercado Kim said that a number of gut-and-replace bills were brought to her attention, and she then referred them to committees where hearings were held, she said. Those bills are likely to wind up in conference committees, and the public can weigh in by submitting written testimony, she said.

"There's no perfect system, there's no perfect way of doing it," Kim said. "If something you believe in got killed on one side of the house, and you wanted it to be kept alive, then you would be advocating for it."

Ihara voted for the proposals, but did so with reservations to bring attention to the issue, he said.

"There are ways to cure it," Ihara said. "They could have an informational briefing... there's the possibility, which I doubt they'll do, but theoretically they could be cured."

A few other bills that changed include:

— HB 482 was a bill about agricultural tax credits. It is now about creating a special fund to acquire land from Dole Foods Company. Status: Alive.

— HB 1280 was about the way law enforcement officers serve papers and issue subpoenas. It is now a bill about creating a technology campus for first responders. Status: Alive.

— SB 2435 was about using special fund money to buy land for agricultural production. It became a bill about genetically modified foods. Status: Dead.

— HB 449 was a bill about financial disclosures of state commissioners and board members. It became a bill about ethical conduct of lawmakers and legislative staff. Status: Dead.

— SB 451 was about including air carriers in the definition of a public utility. It became a bill about increasing the compensation of the chairman and commissioners of Public Utilities Commission and changing the way they appoint and hire personnel. Status: Dead.



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