

**2005 LISTING OF OPINIONS
ISSUED BY THE ATTORNEY GENERAL
STATE OF HAWAII**

OPINION NO. (Date Issued)	DIGEST
05-1 (May 20, 2005)	<p>Senate Rule 31. Senate Resolution No. 137 (2005) added a third paragraph to Senate Rule 31, allowing a majority of the Senate to convene a meeting of the Senate “at any time for the purpose of carrying out the Senate’s responsibilities under article III, section 12” of the State Constitution. Rule 31(3) is constitutional. The Senate may meet at any time to choose its officers or to adopt or amend its procedural rules, regardless of whether the Senate or the Legislature is in session. Persons elected pursuant to Rule 31(3) may serve immediately and rules adopted pursuant thereto would be effective immediately. Section 22-1, HRS, provides that the presiding officers of each house shall continue to serve in that capacity during the interim between the two regular sessions of the each Legislature. Rule 31(3) does not violate section 22-1 because it merely establishes a portion of the process members must follow to terminate or choose their officers.</p>
05-2 (July 8, 2005)	<p>Governor’s proclamations on House and Senate bills. The Governor issued proclamations on June 27, 2005, for House Bills 1309, 1548, 1556, and 1715, and Senate Bill 813, to give the Legislature 10 days’ notice of her intent to return those bills for its further consideration on July 12, 2005, and to preserve her ability to veto those bills, in compliance with article III, section 16, of the State Constitution. The Governor’s proclamation for each of the bills contained what was obviously a clerical error in that the bill number (House Bill No. 85) in the closing paragraph did not match the bill number in the preceding two clauses. However, the second clause of the five subject proclamations contained not only the correct bill number but the corresponding bill title. The Governor also issued a transmittal letter on June 27, 2005, to which all 33 proclamations issued that day were attached. Because the five subject bills were listed in the transmittal letter, the Governor clearly indicated her intention to return all five subject bills with her objections.</p>