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## A BILL FOR AN ACT

RELATING TO ADMINISTRATIVE PROCEDURES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that many of Hawaii's  
2 administrative rules are obsolete, cumbersome, unnecessary, or  
3 overly restrictive. Currently, state departments and agencies  
4 have no mandate to review existing rules with the intent to  
5 streamline, amend, or discard rules that are no longer needed.

6           The large volume of rules, which have outlived their  
7 usefulness, adversely affects the ability of government and  
8 businesses to operate efficiently. Further, public access to  
9 administrative rules is hindered by this condition, and the  
10 ability of the public to provide input into government programs  
11 is also reduced.

12           The legislature acknowledges that a Herculean effort is  
13 required to sort through existing administrative rules to  
14 determine which ones should be retained and which ones should be  
15 eliminated. The legislature finds that each state agency should  
16 actively participate in this process, beginning with the  
17 department of commerce and consumer affairs.



1           The purpose of this Act is to establish an administrative  
2 rules review pilot program that requires the department of  
3 commerce and consumer affairs to examine its existing  
4 administrative rules and begin the process of repealing  
5 obsolete, cumbersome, unnecessary, or overly restrictive rules.

6           SECTION 2. (a) **Administrative rules review pilot program;**  
7 **established.** There is established the administrative rules  
8 review pilot program to be placed in the department of commerce  
9 and consumer affairs for administrative purposes. As part of  
10 the administrative rules review pilot program, the department of  
11 commerce and consumer affairs shall:

12           (1) Review all of its rules to determine which rules should  
13 be repealed, amended, or replaced because they are  
14 obsolete, cumbersome, unnecessary, or overly  
15 restrictive; and

16           (2) Consider the feasibility of repealing any rule older  
17 than three years old, provided that the continuation of  
18 a rule may be allowed upon justification by the agency.

19           (b) **Reports.** The department of commerce and consumer  
20 affairs shall submit a preliminary report on the progress of the  
21 administrative rules review pilot program to the legislature no  
22 later than twenty days prior to the convening of the regular  
23 session of 2008. The preliminary report shall include an outline  
24 of the method used by the department to review its rules.



1 The department of commerce and consumer affairs shall submit a  
2 final report of its findings and recommendations to the  
3 legislature no later than twenty days prior to the convening of  
4 the regular session of 2010. The final report shall include:

5 (1) A master list of all rules reviewed by the department,  
6 of commerce and consumer affairs;

7 (2) The total number of rules that should remain intact, be  
8 amended, and be repealed;

9 (3) A list, including the rule number and corresponding  
10 title, designating which rules should remain intact, be  
11 amended, and be repealed;

12 (4) Recommendations that can be used by other departments  
13 for the efficient review of their existing rules;

14 (5) Recommendations to ensure the timely review of all new  
15 rules;

16 (6) Any other pertinent information about the process used  
17 by the department of commerce and consumer affairs in  
18 undertaking the administrative rules review pilot  
19 program; and

20 (7) Proposed legislation, if necessary, to facilitate  
21 efforts to improve administrative procedure under  
22 chapter 91, Hawaii Revised Statutes.



# H.B. NO. 318

1 SECTION 3. This Act shall take effect upon its approval  
 2 and shall be repealed on June 30, 2010.  
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INTRODUCED BY:

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JAN 18 2007



**Report Title:**

Administrative Procedure; Repeal

**Description:**

Establishes a three-year administrative rules review pilot program that requires the department of commerce and consumer affairs to examine its rules, and to identify and repeal obsolete, cumbersome, unnecessary, or overly restrictive rules.

