

JAN 24 2007

A BILL FOR AN ACT

RELATING TO THE COMMISSION TO REVIEW STATE GOVERNMENT
OPERATIONS.

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

1 SECTION 1. The legislature finds that periodic review of a
2 state government department, agency, or program to assess the
3 efficiency and effectiveness of operations is warranted.

4 Although the auditor conducts operational and managerial reviews
5 of departments, agencies, and programs, as requested by the
6 legislature, the legislature finds that a permanent mechanism
7 should be in place to conduct the reviews on an ongoing basis to
8 ensure that public funds are being expended properly and the
9 public trust in government is maintained.

10 This Act is modeled after the proposed federal Government
11 Efficiency Act of 2006, which authorizes the establishment of
12 federal review commissions with respect to specific aspects of
13 federal programs and agencies. The commissions make
14 recommendations on how to improve the operations, effectiveness,
15 and efficiency of federal programs and agencies in order to
16 determine whether a reorganization, consolidation, abolishment,
17 expansion, or transfer of functions of existing federal programs



1 and agencies is necessary to carry out any federal policy for
2 promoting more effective management of the executive branch.
3 Commissions are established by the issuance of an executive
4 order or the adoption of a concurrent resolution.

5 The purpose of this Act is to establish commissions to
6 review state government operations.

7 SECTION 2. Chapter 23, Hawaii Revised Statutes, is amended
8 by adding a new part to be appropriately designated and to read
9 as follows:

10 **"PART . COMMISSIONS TO REVIEW STATE GOVERNMENT OPERATIONS**

11 **§23-A Establishment of commissions to review state**
12 **government operations.** There may be established, whenever
13 deemed appropriate, upon executive order of the governor or by
14 adoption of a concurrent resolution by the legislature, a
15 commission to review state government operations. The
16 commission shall be attached to the office of the auditor for
17 administrative purposes; provided that the commission shall
18 operate independently of the executive, legislative, and
19 judicial branches. The commission shall be charged with the
20 responsibility to review a specific state government department,
21 agency, or program, which shall be identified in the executive
22 order or concurrent resolution.



1 **§23-B Duties of a commission; report.** (a) The duties of
2 a commission to review state government operations shall be:

3 (1) To study and determine the following issues, including
4 but not limited to:

5 (A) Whether the functions, missions, and goals of a
6 department are being carried out as effectively
7 and efficiently as possible;

8 (B) The extent to which a program or agency
9 duplicates or conflicts with another state,
10 federal, or county program or agency;

11 (C) Whether a reorganization, consolidation,
12 abolishment, expansion, or transfer of a program
13 or agency is in order in furtherance of
14 subparagraph (A); and

15 (D) Any other matters deemed relevant by the
16 commission or by the governor or the legislature,
17 as provided in the executive order or concurrent
18 resolution, as applicable;

19 (2) To report on findings pursuant to its review under
20 paragraph (1) to the governor and the legislature no
21 later than nine months following the issuance of an
22 executive order or adoption of a concurrent



1 resolution. The report may also include specific
2 recommendations for improvement.

3 **§23-C Composition of a commission; reimbursement of**
4 **expenses; exemption from confirmation; terms.** (a) A commission
5 to review state government operations shall be composed of seven
6 members, as follows:

7 (1) Two members to be selected by the president of the
8 senate;

9 (2) Two members to be selected by the speaker of the house
10 of representatives;

11 (3) Two members to be selected by the governor; and

12 (4) One public member with expertise in the particular
13 subject matter to be reviewed, to be mutually selected
14 by the governor, president of the senate, and speaker
15 of the house of representatives.

16 (b) The members of a commission to review state government
17 operations shall serve without compensation but shall be
18 reimbursed for expenses, including travel expenses, necessary
19 for the performance of their duties.

20 (c) Section 26-34 shall not apply to selection of members
21 of a commission to review state government operations.



1 (d) A commission shall cease to exist after the filing of
2 its report under section 23-B(a)(2).

3 **§23-D Duty to cooperate.** All state departments and
4 agencies shall cooperate with a commission to review state
5 government operations to facilitate the duties of the commission
6 with regard to a review under this part.

7 **§23-E Hearings of a commission.** A commission to review
8 state government operations may hold public hearings to take
9 testimony and receive information and evidence for the purpose
10 of carrying out its duties; provided that hearings shall be
11 subject to chapter 92.

12 **§23-F Expenses of a commission.** The auditor shall be
13 reimbursed by a department, agency, or program under review for
14 expenses incurred by a commission to review state government
15 operations."

16 SECTION 3. In codifying this Act, the revisor of statutes
17 shall substitute the appropriate numerical designations for the
18 letter designations used in this Act.

19 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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[Signature]



Report Title:

Commission on Review of State Government Operations

Description:

Creates the commission on review of state government operations to improve efficiency and effectiveness.

