

Honolulu, Hawaii

APR 04 2008

RE: H.B. No. 3352
H.D. 2
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 3352, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII
DISABILITY RIGHTS CENTER,"

begs leave to report as follows:

The purpose of this measure is to require the Auditor to perform a financial and management audit of the Hawaii Disability Rights Center.

More specifically, the measure amends section 23-5, Hawaii Revised Statutes, to require that the Auditor perform an audit of the Hawaii Disability Rights Center at least once every seven years. The measure also statutorily establishes the Auditor's power to examine and inspect the Center's records and documents.

Testimony in support of this measure was submitted by The Hawaii Down Syndrome Congress and four private individuals. Testimony opposing the measure was submitted by the Hawaii Disability Rights Center. Two private individuals submitted comments.

Your Committee finds that agencies expending state funds should be subject to review by the State. Your Committee notes that the current agency designated by law as Hawaii's Protection and Advocacy System to provide advocacy services to persons with developmental disabilities or mental illness, the Hawaii



Disability Rights Center, has not been subject to state review or oversight in the thirty years since its designation. Your Committee further finds that an audit would ensure that the Protection and Advocacy System's use of public funds in Hawaii is appropriate, efficient, and in conformance with the expectations of the Legislature.

Upon further consideration, your Committee has amended this measure by:

- (1) Replacing references to the Hawaii Disability Rights Center with references to the entity or agency designated pursuant to section 333F-8.5, Hawaii Revised Statutes, to provide advocacy services, to ensure continuity if the Center changes its name in the future or is replaced by a successor agency;
- (2) Clarifying that the type of audit to be conducted by the Auditor is a financial and management audit; and
- (3) Making technical nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3352, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 3352, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



ROSALYN H. BAKER, Chair



