

---

---

## HOUSE CONCURRENT RESOLUTION

ACCEPTING FUNDS PROVIDED TO THE STATE OF HAWAII BY THE AMERICAN  
RECOVERY AND REINVESTMENT ACT OF 2009 AND ESTABLISHING THE  
FEDERAL ECONOMIC STIMULUS PROGRAM OVERSIGHT COMMISSION.

1           WHEREAS, on February 17, 2009, President Barack Obama  
2 signed into law the American Recovery and Reinvestment Act of  
3 2009 (hereafter the "Act"); and  
4

5           WHEREAS, section 3 of the Act states that the purposes of  
6 the Act are as follows:  
7

- 8           (1) To preserve and create jobs and promote economic  
9 recovery;  
10  
11           (2) To assist those most impacted by the recession;  
12  
13           (3) To provide investment needed to increase economic  
14 efficiency by spurring technological advances in  
15 science and health;  
16  
17           (4) To invest in transportation, environmental protection,  
18 and other infrastructure that will provide long-term  
19 economic benefits; and  
20  
21           (5) To stabilize state and local government budgets, in  
22 order to minimize and avoid reductions in essential  
23 services and counterproductive state and local tax  
24 increases; and  
25

26           WHEREAS, a portion of the funds made available by the Act  
27 are designated to be appropriated directly to the various  
28 states; and  
29

30           WHEREAS, section 1607 of the Act requires that not later  
31 than forty-five days after the date of enactment of the Act, for



# H.C.R. NO. 193

1 funds provided to any state or agency thereof, the Governor of  
2 the state must certify that:

- 3
- 4 (1) The state will request and use funds provided by the  
5 Act; and
  - 6
  - 7 (2) The funds will be used to create jobs and promote  
8 economic growth; and  
9

10 WHEREAS, if the funds are not accepted for use by the  
11 governor of any state, then acceptance by the state legislature,  
12 by means of a concurrent resolution, shall be sufficient to  
13 provide funding the state; and  
14

15 WHEREAS, the Legislature is desirous of ensuring that all  
16 funds made available to the State of Hawaii by the Act are  
17 received by the State as expeditiously as possible; and  
18

19 WHEREAS, the Legislature desires to ensure that all funds  
20 received by the State pursuant to the Act are expended:  
21

- 22 (1) Based upon developed priority criteria;
- 23
- 24 (2) Pursuant to adequate public notice and opportunity for  
25 public comment;
- 26
- 27 (3) Pursuant to a transparent bidding and contracting  
28 process; and
- 29
- 30 (4) Avoiding duplication and waste,  
31

32 by establishing a federal economic stimulus program oversight  
33 commission; now, therefore,  
34

35 BE IT RESOLVED by the House of Representatives of the  
36 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
37 of 2009, the Senate concurring, that the Legislature accepts all  
38 funds provided to the State of Hawaii by the American Recovery  
39 and Reinvestment Act of 2009 and will use the funds received to  
40 create jobs and promote economic growth; and  
41

42 BE IT FURTHER RESOLVED that (a) there is established a  
43 legislative federal economic stimulus program oversight



# H.C.R. NO. 193

1 commission (hereafter the "Commission"), to be comprised of ten  
2 members, as follows:

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

(1) Six voting members:

(A) One member of the Senate, to be appointed by the President of the Senate;

(B) One member of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

(C) Four members of the public, representing citizens and local government, one each to be appointed by the President of the Senate, Speaker of the House of Representatives, Senate Minority Leader, and House of Representatives Minority Leader; and

(2) Five non-voting members, one each appointed by:

(A) Each member of the Hawaii congressional delegation; and

(B) The Governor.

(b) The voting members of the Commission shall elect the chairperson of the Commission.

(c) Legislative staff offices as determined by the President of the Senate and the Speaker of the House of Representatives shall provide administrative assistance to the Commission.

(d) In providing oversight on the distribution of any federal economic stimulus program funds and the implementation of program expenditures, the Commission may:

(1) Evaluate the coordination of federal stimulus funded programs within the State;

(2) Determine if criteria developed for setting priorities are being followed;



# H.C.R. NO. 193

- 1 (3) Determine the adequacy of public notice and
- 2 opportunity for public comment and input;
- 3
- 4 (4) Determine the transparency in the bidding and the
- 5 contracting process;
- 6
- 7 (5) Determine the maintenance of the integrity of the
- 8 distribution and expenditure of federal stimulus
- 9 funded programs;
- 10
- 11 (6) Determine the extent to which duplication and waste is
- 12 prevented; and
- 13
- 14 (7) Undertake any other tasks or efforts to ensure the
- 15 integrity and fairness of the distribution and
- 16 expenditure of all funds and implementation of all
- 17 programs.
- 18

19 (e) Agencies of the executive branch are requested to  
 20 provide information on the receipt and expenditure of federal  
 21 economic stimulus program funds upon request of the Commission.  
 22 The Commission may request specific audit services from the  
 23 State Auditor; and

24  
 25 BE IT FURTHER RESOLVED that certified copies of this  
 26 Concurrent Resolution be transmitted to the President of the  
 27 United States, the President of the United States Senate, the  
 28 Speaker of the United States House of Representatives, the  
 29 members of Hawaii's congressional delegation, and the Governor.

30  
 31  
 32

OFFERED BY:

*[Handwritten signatures and names]*

*Paul Chan*  
*Paul Chan*  
*Maureen J. Mayrow*  
*Maureen J. Mayrow*  
*John De*  
*John De*  
*Cindy Evans*  
*Cindy Evans*  
*Maury B. Lee*  
*Maury B. Lee*

