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# A BILL FOR AN ACT

RELATING TO EFFECTIVE LEGISLATION.

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

1           SECTION 1. The legislature finds that many existing laws  
2 in the Hawaii Revised Statutes or portions thereof may be  
3 obsolete, redundant, conflicting, ambiguous, or in need of  
4 repeal or amendment accordingly. This reduces the effectiveness  
5 of those laws.

6           The purpose of this Act is to establish a permanent  
7 commission on effective legislation to carry out ongoing review  
8 of the Hawaii Revised Statutes.

9           SECTION 2. Chapter 96, Hawaii Revised Statutes, is amended  
10 by adding a new section to be appropriately designated and to  
11 read as follows:

12           "§96-           Commission on effective legislation. (a) There  
13 is established within the office of the ombudsman a commission  
14 on effective legislation. The commission shall be composed of:

15           (1) The ombudsman or the ombudsman's designee, who shall  
16           serve as chairperson of the commission;

- 1       (2) The director of the legislative reference bureau or  
2       the director's designee, who shall serve as vice-  
3       chairperson;
- 4       (3) Six department heads or their designees representing  
5       the executive departments of the State, three of whom  
6       shall be appointed by the president of the senate and  
7       three of whom shall be appointed by the speaker of the  
8       house of representatives; provided that the president  
9       of the senate and speaker of the house of  
10       representatives may jointly appoint additional  
11       department heads or substitute department heads of  
12       different executive departments, not sooner than every  
13       two years, to facilitate the review of a broader  
14       spectrum of laws;
- 15       (4) The president of the University of Hawaii or the  
16       president's designee; and
- 17       (5) Four representatives of the counties, one each to be  
18       appointed by the mayor of each of the respective  
19       counties.
- 20       (b) The purpose of the commission is to promote and  
21       maintain the effectiveness of legislation, codified within the  
22       Hawaii Revised Statutes, to ensure the statutes remain rational,

1 clear, coherent, and sensible by reviewing existing statutes on  
2 an ongoing basis.

3 (c) The commission shall meet on an ongoing basis as  
4 necessary. The chairperson shall notify each member of the time  
5 and place of a meeting; provided that an executive department  
6 with representation on the commission may make a written  
7 submission in lieu of or in addition to attendance at a meeting.

8 (d) The commission shall review existing laws within the  
9 Hawaii Revised Statutes that are brought to its attention by  
10 legislators, state and county agencies, and members of the  
11 public; provided that nothing in this section shall prevent the  
12 commission or any of its members from reviewing portions of  
13 statutory law on their own initiative. The commission shall  
14 solicit comment from state and county agencies and the public  
15 for purposes of this section. The commission's review shall  
16 consist of an examination of whether a statute or statutes or  
17 portions thereof are obsolete, redundant, conflicting,  
18 ambiguous, or in need of repeal or amendment. The commission  
19 shall make a determination in each case and shall incorporate  
20 its findings and recommendations in the report required under  
21 subsection (e).

1       (e) The ombudsman shall submit reports of the commission's  
2 findings and recommendations made pursuant to subsection (d), to  
3 the legislature no later than twenty days prior to the convening  
4 of the regular session. Reports shall be submitted not less  
5 than once every other year."

6       SECTION 3. Section 96-5, Hawaii Revised Statutes, is  
7 amended to read as follows:

8       "**§96-5 Jurisdiction.** The ombudsman has jurisdiction to  
9 investigate the administrative acts of agencies and the  
10 ombudsman may exercise the ombudsman's powers without regard to  
11 the finality of any administrative act. The ombudsman has  
12 jurisdiction to administer the commission on effective  
13 legislation under section 96- ."

14       SECTION 4. New statutory material is underscored.

15       SECTION 5. This Act shall take effect on July 1, 2070.

**Report Title:**

Commission on Effective Legislation; Ombudsman

**Description:**

Creates commission on effective legislation within the office of the ombudsman and chaired by the ombudsman. Sets membership to include representatives from 6 executive departments, to be appointed by the senate president and house speaker; the counties; and University of Hawaii. Requires commission to examine existing laws within the Hawaii Revised Statutes referred by legislators, state and county agencies, and the public that may be obsolete, redundant, conflicting, or ambiguous. Requires ombudsman to report to legislature biennially. (SD1)