

---

---

## A BILL FOR AN ACT

RELATING TO THE LEGISLATIVE FEDERAL ECONOMIC STIMULUS PROGRAM  
OVERSIGHT COMMISSION.

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

1           SECTION 1. The legislature passed Act 150, Session Laws of  
2 Hawaii 2009, to create expedited procedures for expending  
3 federal funds drawn down by the State from the American Recovery  
4 and Reinvestment Act of 2009, Pub. L. No. 111-5. The objective  
5 was to take full advantage of these funds to address the  
6 programs, services, and benefits needed by the people of Hawaii.

7           Act 150, Session Laws of Hawaii 2009, also established a  
8 commission to monitor federal stimulus funds drawn down by the  
9 State. While this is an important function, the legislature  
10 finds that the commission can do more to ensure that Hawaii  
11 draws down its fair share of stimulus funding.

12           The purpose of this Act is to expand the responsibilities  
13 of the legislative federal economic stimulus program oversight  
14 commission by authorizing the commission to:

15           (1) Determine the total amount of stimulus funds for which  
16           the State qualifies;



1           (2) Determine the amounts for which the State has applied,  
2                    as well as the amounts that the State has drawn down,  
3                    the distribution, and uses; and

4           (3) Provide greater transparency by making information  
5                    about the funds easily available to the public.

6           SECTION 2. Act 150, Session Laws of Hawaii 2009, is  
7 amended by amending part II to read as follows:

8   "PART II

9           SECTION 6. (a) There is established a legislative federal  
10 economic stimulus program oversight commission, to be comprised  
11 of eleven members, as follows:

12           (1) Six voting members:

13                    (A) One member of the senate, to be appointed by the  
14                    president of the senate;

15                    (B) One member of the house of representatives to be  
16                    appointed by the speaker of the house of  
17                    representatives; and

18                    (C) Four members of the public, representing citizens  
19                    and local government, one each to be appointed by  
20                    the president of the senate, speaker of the house  
21                    of representatives, senate minority leader, and  
22                    house of representatives minority leader; and



- 1           (2) Five non-voting members, one each appointed by:
- 2                 (A) Each member of Hawaii's congressional delegation;
- 3                         and
- 4                 (B) The governor.

5           The voting members of the commission shall elect the  
6 chairperson of the commission.

7           (b) Legislative staff offices as determined by the  
8 president of the senate and the speaker of the house of  
9 representatives shall provide administrative assistance to the  
10 commission.

11           (c) In providing oversight of the distribution of any  
12 federal economic stimulus program funds and the implementation  
13 of program expenditures, the commission shall determine:

- 14           (1) All federal economic stimulus program funds for which  
15                 the State of Hawaii qualifies;
- 16           (2) The funds for which the State of Hawaii has applied;
- 17           (3) The funds that have been drawn down by the State of  
18                 Hawaii;
- 19           (4) The distribution of funds that have been drawn down;  
20                 and



1        (5) The uses for which the distributed funds have been  
2                    expended as compared with the intended uses of the  
3                    funds.

4        [~~e~~] (d) In providing oversight of the distribution of  
5 any federal economic stimulus program funds and the  
6 implementation of program expenditures, the commission may:

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

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

11        (3) Determine the adequacy of public notice and  
12                   opportunity for public comment and input;

13        (4) Evaluate the transparency of the bidding and the  
14                   contracting process;

15        (5) Evaluate the integrity of the distribution and  
16                   expenditure of federal stimulus funded programs;

17        (6) Determine the extent to which duplication and waste is  
18                   prevented; and

19        (7) Undertake any other tasks or efforts to ensure the  
20                   integrity and fairness of the distribution and  
21                   expenditure of all funds and implementation of all  
22                   programs.



1        [~~d~~] (e) Executive branch agencies shall provide  
2 information on the receipt and expenditure of federal economic  
3 stimulus program funds upon request of the commission.

4        [~~e~~] (f) The commission may request specific audit  
5 services from the state auditor.

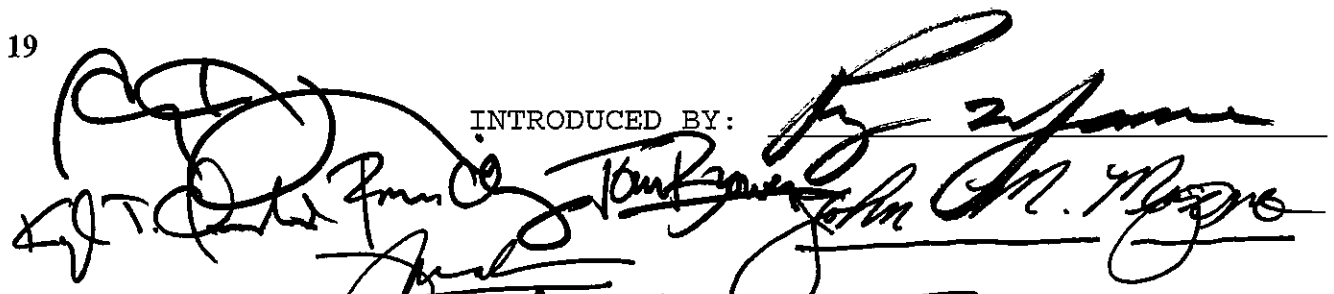


6        (g) The commission shall make information about the  
7 stimulus funds easily available to the public, such as through a  
8 website. The information shall include stimulus funds for which  
9 the State qualifies, funds for which the State has applied,  
10 funds that have been drawn down, funds that have been  
11 distributed, and the use of the funds compared with their  
12 intended purposes.

13        [~~f~~] (h) For the purposes of this section, "commission"  
14 means the legislative federal economic stimulus program  
15 oversight commission."

16        SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

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

19

INTRODUCED BY:   
2010-0343 HB SMA.doc  
 JAN 19 2010  


**Report Title:**

Legislative Federal Economic Stimulus Program Oversight  
Commission; Responsibilities

**Description:**

Expands the responsibilities of the legislative federal economic stimulus program oversight commission by authorizing the commission to determine the total amount of stimulus funds the State qualifies for, has applied for, drawn down, and the distribution and uses; and to provide greater transparency by making information about the funds easily available to the public.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

