

JAN 26 2009

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 may be obsolete, redundant, conflicting, or ineffective, and in
3 need of repeal or amendment accordingly. However, there has
4 been no systematic review of such laws in order to determine
5 which of these laws should be repealed or amended.

6 The purpose of this Act is to establish a commission on
7 effective legislation.

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

11 "§96- Commission on effective legislation. (a) There
12 is established under the ombudsman a commission on effective
13 legislation. The commission shall be composed of the ombudsman
14 or the ombudsman's designee, who shall serve as chair of the
15 commission, the director of the legislative reference bureau or
16 the director's designee, who shall serve as vice-chair, and not
17 less than five department heads representing the executive



1 departments of the State or their designee, as well as the chief
2 justice of the judiciary and the president of the University of
3 Hawaii or their respective designees; provided that the governor
4 shall appoint, upon recommendation of the president of the
5 senate and speaker of the house of representatives, which
6 department heads shall serve on the commission and may add or
7 substitute department heads of different executive departments
8 not sooner than every two years to facilitate the review of a
9 broader spectrum of laws.

10 (b) The commission on effective legislation shall review
11 all existing laws to determine whether a law is obsolete,
12 redundant, conflicting, or ineffective, and in need of repeal or
13 amendment accordingly. The commission shall solicit public
14 comment for purposes of this subsection.

15 (c) Upon providing prior notification to each executive
16 department of the time and place of a meeting, the ombudsman
17 shall convene a meeting of the commission on effective
18 legislation not less than biennially, prior to the convening of
19 the regular session of the first year of each legislative
20 biennium. In lieu of or in addition to attendance at a meeting,
21 an executive department may make a written submission to the
22 ombudsman.



1 (d) The ombudsman shall submit a report of its findings
 2 and recommendations made pursuant to subsection (c), to the
 3 legislature no later than twenty days prior to the convening of
 4 the regular session of the first year of each legislative
 5 biennium.

6 (e) For purposes of the report submitted pursuant to
 7 subsection (d), if an existing law is determined by an executive
 8 department to be ineffective, the ombudsman shall report on that
 9 determination."

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

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

18 SECTION 4. New statutory material is underscored.

19 SECTION 5. This Act shall take effect upon its approval.

20 *Jim A. Kalani Gish*
 INTRODUCED BY: *[Signature]*

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S.B. NO. 1103

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Report Title:

Commission on Effective Legislation; Ombudsman

Description:

Establishes a commission on effective legislation, to be administratively placed under the ombudsman. Requires the commission to be composed of representatives from the executive departments, University of Hawaii, judiciary, and other appropriate state entities to identify existing laws that are obsolete, redundant, conflicting, or ineffective. Requires ombudsman to report to legislature.

