
A BILL FOR AN ACT

RELATING TO ADMINISTRATIVE PROCEDURES.

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

1 SECTION 1. The legislature finds that many of Hawaii's
2 administrative rules are obsolete, cumbersome, unnecessary, or
3 overly restrictive. Currently, state departments and agencies
4 have no mandate to review existing rules with the intent to
5 streamline, amend, or discard rules that are no longer needed.

6 The large volume of rules, which have outlived their
7 usefulness, adversely affects the ability of government and
8 businesses to operate efficiently. Further, public access to
9 administrative rules is hindered by this condition, and the
10 ability of the public to provide input into government programs
11 is also reduced.

12 The legislature acknowledges that a Herculean effort is
13 required to sort through existing administrative rules to
14 determine which ones should be retained and which ones should be
15 eliminated. The legislature further finds that each state
16 agency should actively participate in this process, beginning
17 with the department of commerce and consumer affairs.



1 The purpose of this Act is to establish an administrative
2 rules review pilot program that requires the department of
3 commerce and consumer affairs to examine its existing
4 administrative rules and begin the process of repealing
5 obsolete, cumbersome, unnecessary, or overly restrictive rules.

6 SECTION 2. (a) **Administrative rules review pilot program;**
7 **established.** There is established the administrative rules
8 review pilot program to be placed in the department of commerce
9 and consumer affairs for administrative purposes. As part of
10 that administrative rules review pilot program, the department
11 of commerce and consumer affairs shall:

12 (1) Review all of its rules to determine which rules
13 should be repealed, amended, or replaced because they
14 are obsolete, cumbersome, unnecessary, or overly
15 restrictive; and

16 (2) Consider the feasibility of repealing any rule older
17 than three years old; provided that the continuation
18 of a rule may be allowed upon justification by the
19 agency.

20 (b) **Reports.** The department of commerce and consumer
21 affairs shall submit a preliminary report on the progress of the
22 administrative rules review pilot program to the legislature no



1 later than twenty days prior to the convening of the regular
2 session of 2012. The preliminary report shall include an
3 outline of the method used by the department to review its
4 rules. The department of commerce and consumer affairs shall
5 submit a final report of its findings and recommendations to the
6 legislature no later than twenty days prior to the convening of
7 the regular session of 2014. The final report shall include:

- 8 (1) A master list of all rules reviewed by the department
9 of commerce and consumer affairs;
- 10 (2) The total number of rules that should remain intact,
11 be amended, and be repealed;
- 12 (3) A list, including the rule number and corresponding
13 title, designating which rules should remain intact,
14 be amended, and be repealed;
- 15 (4) Recommendations that can be used by other departments
16 for the efficient review of their existing rules;
- 17 (5) Recommendations to ensure the timely review of all new
18 rules;
- 19 (6) Any other pertinent information about the process used
20 by the department of commerce and consumer affairs in
21 undertaking the administrative rules review pilot
22 program; and



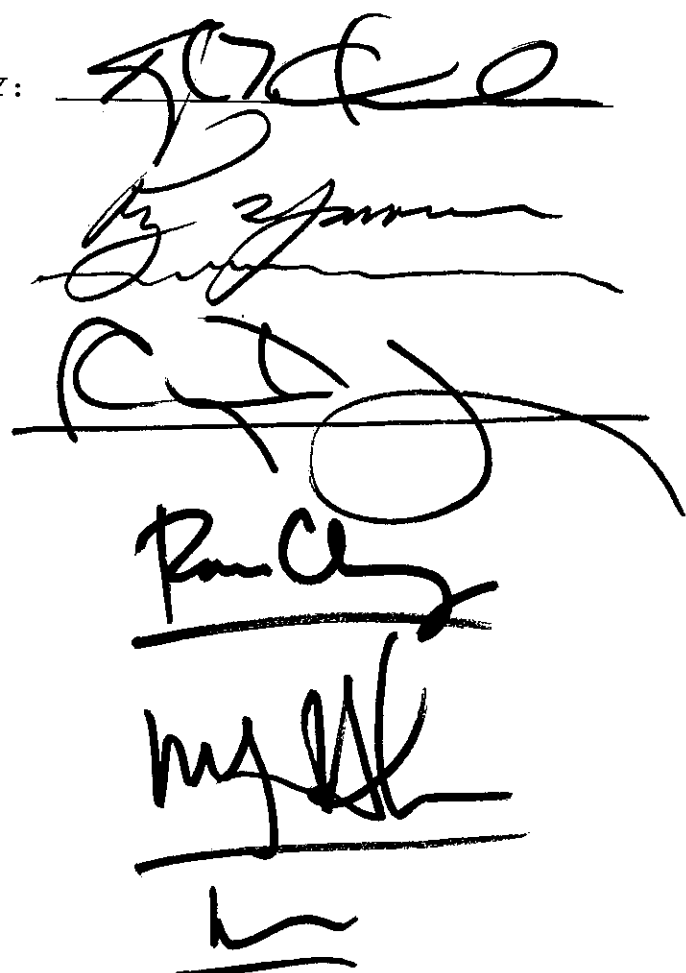
1 (7) Proposed legislation, if necessary, to facilitate
2 efforts to improve administrative procedure under
3 chapter 91, Hawaii Revised Statutes.

4 SECTION 3. This Act shall take effect upon its approval
5 and shall be repealed on June 30, 2014.

6



INTRODUCED BY:



JAN 25 2011



Report Title:

Administrative Procedure; Repeal; Pilot Program

Description:

Establishes an administrative rules review pilot program that requires the department of commerce and consumer affairs to examine its rules, and to identify and repeal obsolete, cumbersome, unnecessary, or overly restrictive rules.

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