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# A BILL FOR AN ACT

RELATING TO GOVERNMENT ACCOUNTABILITY.

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

1           SECTION 1. The legislature finds that every year laws are  
2 enacted that require new studies and audits of various state  
3 government departments or agencies. Conducting and completing  
4 many of these studies and audits require an appropriation and  
5 also consume valuable time and resources of the department,  
6 agency, office, or branch of government tasked with preparing  
7 the study or audit. The legislature also finds that the  
8 resultant report is often not widely reviewed by the legislature  
9 or public and can sometimes go completely unnoticed despite the  
10 fact that these reports can contain valuable information. The  
11 legislature further finds that mandating a public hearing or  
12 informational briefing that would facilitate discussion and  
13 analysis of the report findings and recommendations would better  
14 serve the public interest.

15           The purpose of this Act is to:

16           (1) Require a public hearing or informational briefing on  
17           certain audit reports and studies enacted with an



1 appropriation or adopted by concurrent resolution  
2 within one year of the receipt of the report or study  
3 in order to properly review and consider the  
4 information provided therein;

5 (2) Require a public hearing or informational briefing on  
6 performance audit reports issued by the office of the  
7 auditor within one year of the publication of the  
8 report in order to properly review and consider the  
9 information provided therein; and

10 (3) Require reports to the legislature for certain funded  
11 programs.

12 SECTION 2. Chapter 21, Hawaii Revised Statutes, is amended  
13 by adding a new part to be appropriately designated and to read  
14 as follows:

15 "PART . HEARINGS OR BRIEFINGS ON REPORTS

16 §21- Procedures for consideration of reports. (a) For  
17 any study or audit enacted with a legislative appropriation to  
18 fund the study or audit or adopted by concurrent resolution,  
19 including those studies or audits in any budget measure, and  
20 which are conducted by:



- 1           (1) The executive departments and agencies, including the  
2           Hawaii health systems corporation;
- 3           (2) The judiciary;
- 4           (3) The legislative reference bureau; or
- 5           (4) The office of Hawaiian affairs,

6 the state agency completing the study or audit shall submit the  
7 report to the chair of the applicable subject matter committee  
8 of each chamber and if no chair is currently appointed to such  
9 committee, then to the presiding officer of that chamber. The  
10 report shall also comply with the requirements of section 93-16.

11           (b) The respective chairs of the committees to whom a  
12 report is submitted under subsection (a) shall conduct a public  
13 hearing or informational briefing on the report within one year  
14 of the chair receiving the report. Upon request of the chair, a  
15 one-year extension of time or waiver of the requirement to  
16 conduct a public hearing or informational briefing may be  
17 granted by the president of the senate or the speaker of the  
18 house of representatives, as appropriate; provided that the  
19 reasons for the granting a one-year extension of time or waiver  
20 of the requirement under this part shall be posted on the  
21 legislature's website and publicly noticed at the state capitol.



1 (c) This section shall not apply to any financial or  
2 regularly occurring study or audit enacted with a legislative  
3 appropriation to fund the study or audit or adopted by  
4 concurrent resolution.

5 §21- Procedures for consideration of performance audit  
6 reports issued by the office of the auditor. (a) For each  
7 performance audit report issued by the office of the auditor,  
8 the speaker of the house of representatives and the president of  
9 the senate shall assign to the chairs of the appropriate  
10 committees of their respective chambers the responsibility to  
11 conduct a public hearing or informational briefing on the  
12 performance audit report. The chairs of the committees shall  
13 conduct a public hearing or information briefing on the  
14 performance audit report within one year after the issuance of  
15 the report by the office of the auditor.

16 (b) This section shall not apply to any financial audit or  
17 single audit."

18 SECTION 3. Chapter 26, Hawaii Revised Statutes, is amended  
19 by adding a new section to be appropriately designated and to  
20 read as follows:



1        "§26- Establishment of programs; reports. Any  
2 department or agency that establishes a funded program in  
3 accordance with an Act of the State shall submit a report on the  
4 program to the legislature no later than one year following the  
5 passage of the Act. The report to the legislature shall:

- 6        (1) Identify all revenues, expenditures, and encumbrances  
7        for the program;
- 8        (2) Identify the number of employees hired to staff the  
9        program;
- 10       (3) Provide whether or not the program was implemented  
11       within the year in which the enabling Act was passed;
- 12       (4) Identify the achievements, findings, and future plans  
13       for the program, including any supporting data; and
- 14       (5) Any other information needed to sufficiently apprise  
15       the legislature of the program's nature, financial  
16       status, and effectiveness."

17       SECTION 4. Section 21, Hawaii Revised Statutes, is amended  
18 by designating sections 21-1 to 21-19 as part I, entitled  
19 "Investigating Committees".

20       SECTION 5. Sections 21-1, 21-2, 21-6, 21-13, 21-15, and  
21 21-19, Hawaii Revised Statutes, are amended by substituting the



1 word "part" wherever the word "chapter" appears, as the context  
2 requires.

3 SECTION 6. New statutory material is underscored.

4 SECTION 7. This Act shall take effect on July 1, 2112.



**Report Title:**

Government Accountability; Legislative Hearings; Studies and Reports; State Funded Programs; Mandatory Reports

**Description:**

Requires any report of a study or an audit enacted with a legislative appropriation or adopted by concurrent resolution and conducted by an executive department or agency, to be submitted to the Senate President, Speaker of the House of Representatives, the chairs of the appropriate subject matter committee of each house; and the Legislative Reference Bureau library. Requires a public hearing or informational briefing within one year of receipt of the report, except under certain circumstances. Requires a public hearing or informational briefing within one year of the publication of the performance audit reports. Exempts financial and other regularly occurring audits. Requires state departments and agencies to submit a report to the Legislature on certain information regarding funded state programs enacted into law within a year of passage. Takes effect 7/1/2112. (SD1)

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

