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LEGISLATIVE REFERENCE BUREAU
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Written Comments

SB2823

RELATING TO THE HAWAII ADMINISTRATIVE RULES

Charlotte A. Carter-Yamauchi, Director-
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Presented to the Senate Committee on Judiciary

February 1, 2024, 9:00 a.m.
Conference Room 016 and Via Videoconference

Chair Rhoads and Members of the Committee:

Good morning, Chair Rhoads and members of the Committee, my name is Charlotte Carter-Yamauchi, and I am the Director of the Legislative Reference Bureau (LRB). Thank you for providing the opportunity to submit written comments on S.B. No. 2823, Relating to The Hawaii Administrative Rules.

The purpose of this measure is to:

- (1) Establish within the Department of the Attorney General for administrative purposes a blue ribbon committee to analyze and examine the Hawaii Administrative Rules and identify any rules that are not supported by the Hawaii Revised Statutes;
- (2) Require that the blue ribbon committee consist of the following members:
 - (A) Two individuals who shall be invited to participate by the President of the Senate;
 - (B) Two individuals who shall be invited to participate by the Speaker of the House of Representatives; and

- (C) One individual who shall be invited to participate by the Director of the Legislative Reference Bureau;
- (3) Require the blue ribbon committee to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025; and
- (4) Dissolve the blue ribbon committee upon adjournment sine die of the Regular Session of 2025.

The Bureau takes no position on this measure but submits the following comments for your consideration.

The Bureau would participate in the commission established under this measure should it be enacted; provided that that the Bureau's interim workload is not adversely impacted by too many additional responsibilities, such as conducting additional studies, writing or finalizing other reports, drafting legislation, or any combination of these responsibilities for the Legislature or for other state agencies, task forces, or working groups that may be requested or required under other legislative measures.

Thank you again for your consideration.

SB-2823

Submitted on: 1/28/2024 3:38:14 PM

Testimony for JDC on 2/1/2024 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Emery	Individual	Support	Written Testimony Only

Comments:

I support the need to review administrative rules. As an example thre HAR rules when defining a condominium reserve study obligation and only addresses percent funded analysis but fails to define cash flow funding that was subsequently adopted by the legislature. The funding methods are different and the current HAR rules void of other funding options. The HAR rules should be up to date.