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## HOUSE CONCURRENT RESOLUTION

ESTABLISHING A CANDIDATE ADVISORY COMMITTEE FOR THE NOMINATION  
OF THE AUDITOR, OMBUDSMAN, AND LEGISLATIVE REFERENCE BUREAU  
DIRECTOR.

1           WHEREAS, the Office of the Auditor, Office of the  
2 Ombudsman, and Office of the Legislative Reference Bureau are  
3 legislative agencies that service the Legislature and the  
4 public; and

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6           WHEREAS, the Office of the Auditor provides audit reports  
7 to the Legislature and the public about how effectively state  
8 agencies are providing services and using public money; and

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10          WHEREAS, the Office of the Ombudsman investigates  
11 complaints about actions of executive branch agencies of the  
12 state and county governments in the State; and

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14          WHEREAS, the Legislative Reference Bureau is a nonpartisan  
15 legislative service agency that provides a wide variety of  
16 services to legislators, legislative committees, and the public;  
17 and

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19          WHEREAS, the Auditor, Ombudsman, and Legislative Reference  
20 Bureau Director are appointed by the Legislature by a majority  
21 vote of each house in joint session; and

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23          WHEREAS, without an obligation to receive public testimony  
24 or hold a public hearing, the Auditor and Legislative Reference  
25 Bureau Director were appointed in 2016, and the Ombudsman was  
26 appointed in 1998; and

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28          WHEREAS, previous legislatures have advocated for the  
29 establishment of a more transparent process or a candidate  
30 advisory committee to enable public input and ensure the best



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1 qualified individuals are selected for these legislative service  
2 agency director positions; and

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4 WHEREAS, the creation of a candidate advisory committee  
5 will implement a transparent process to maintain public trust  
6 and ensure that the Legislature appoints individuals qualified  
7 for these positions who have strong moral standing; and

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9 WHEREAS, a public and transparent process that evaluates  
10 candidates for these legislative service agency director  
11 positions is warranted for upcoming appointments; now,  
12 therefore,

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14 BE IT RESOLVED by the House of Representatives of the  
15 Thirty-second Legislature of the State of Hawaii, Regular  
16 Session of 2024, the Senate concurring, that there is  
17 established the Legislative Service Agency Candidate Advisory  
18 Committee to recruit via a public search, evaluate all  
19 candidates, and present to the Legislature one nominee for each  
20 Auditor, Ombudsman, and Legislative Reference Bureau Director  
21 position; and

22  
23 BE IT FURTHER RESOLVED that the Candidate Advisory  
24 Committee consist of the following members:

- 25  
26 (1) Three members of the Senate, to be appointed by the  
27 President of the Senate;  
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29 (2) Three members of the House of Representatives, to be  
30 appointed by the Speaker of the House of  
31 Representatives; and  
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33 (3) A former State Auditor, who shall serve as Chair; and  
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35 BE IT FURTHER RESOLVED that the Candidate Advisory  
36 Committee recruit and evaluate public applications for the  
37 Auditor, Ombudsman, and Legislative Reference Bureau Director  
38 positions and present to the Legislature one finalist nominee  
39 for each position; and  
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1 BE IT FURTHER RESOLVED that the Candidate Advisory  
2 Committee may seek assistance and expertise from the National  
3 Conference of State Legislatures; and  
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5 BE IT FURTHER RESOLVED that the Candidate Advisory  
6 Committee hold a public hearing and accept public testimony on  
7 the finalist nominee for each director position; and  
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9 BE IT FURTHER RESOLVED that the Candidate Advisory  
10 Committee, following the public hearing on each finalist nominee  
11 and by a majority vote of all members to which the committee is  
12 entitled, make a recommendation to the Legislature to recommend  
13 appointment of the nominee; and  
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15 BE IT FURTHER RESOLVED that the Legislature convene in a  
16 joint session to vote on the recommendation to appoint each  
17 nominee who receives a recommendation for appointment by the  
18 Candidate Advisory Committee; and  
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20 BE IT FURTHER RESOLVED that each nominee be appointed by  
21 the Legislature by a majority vote of all members to which the  
22 Legislature is entitled; and  
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24 BE IT FURTHER RESOLVED that if any finalist nominee for a  
25 legislative service agency director position fails to receive a  
26 majority vote of either the Candidate Advisory Committee in  
27 recommending appointment or the Legislature in appointing the  
28 nominee, the Candidate Advisory Committee shall follow the  
29 procedures described in this measure to evaluate and nominate  
30 another individual from the initial public applications received  
31 for that position until a candidate is nominated and appointed;  
32 and  
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34 BE IT FURTHER RESOLVED that if the Candidate Advisory  
35 Committee determines that the remaining individuals, if any,  
36 from the list of initial public applicants are unqualified for  
37 the position, then the Candidate Advisory Committee may pursue  
38 public applications for a new list of candidates; and  
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40 BE IT FURTHER RESOLVED that the Candidate Advisory  
41 Committee shall cease to exist upon the completion of its  
42 duties; and



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BE IT FURTHER RESOLVED that certified copies of this  
Concurrent Resolution be transmitted to the Auditor; Ombudsman;  
Legislative Reference Bureau Director; Former State Auditor  
Marion Higa (Ret.); and the Chief Executive Officer of the  
National Conference of State Legislatures.

OFFERED BY: *Andrew K. Madson*

MAR - 8 2024

