

STAND. COM. REP. NO. **2190**

Honolulu, Hawaii

**FEB 08 2024**

RE: S.B. No. 2823  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2823 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII ADMINISTRATIVE RULES,"

begs leave to report as follows:

The purpose and intent of this measure is to establish a blue ribbon committee within the Department of the Attorney General to analyze the Hawaii Administrative Rules and identify any rules that are not supported by statutory authority.

Your Committee received testimony in support of this measure from one individual.

Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that government agencies may have engaged in rulemaking that was supported by statutory authority at the time they were made; however, statutes may have since been amended or deleted, leaving certain rules to no longer be supported by statute. Your Committee believes that the Hawaii Administrative Rules should be examined to determine if any rules are no longer supported by the Hawaii Revised Statutes. This measure will promote government efficiency and ensure that



existing Hawaii Administrative Rules continue to have proper statutory support.

Your Committee has amended this measure by:

- (1) Adding language that requires the Department of the Attorney General to provide support and coordination as needed by the blue ribbon committee;
- (2) Adding language that requires each state agency to cooperate with the blue ribbon committee;
- (3) Requiring the blue ribbon committee to submit its report of its findings and recommendations to the Legislature no later than forty days prior to the convening of the Regular Session of 2025; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2823, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



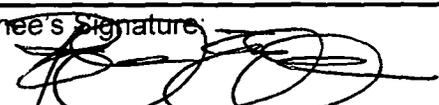
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KARL RHOADS, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

Record of Votes  
 Committee on Judiciary  
 JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2823	JDC, WAM	02/01/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	5	ϕ	ϕ	ϕ
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes