

ACT 121

H.B. NO. 82

A Bill for an Act Relating to the Hawaii Regulatory Licensing Reform Act.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 26H-3, Hawaii Revised Statutes is amended by deleting the definitions of “Joint committee” and “Impact statement.”

SECTION 2. Section 26H-5, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 26H-5 Evaluation; report. The legislative auditor shall evaluate each board, commission and regulatory program created under a chapter repealed by section 26H-4 and shall submit an evaluation report to the legislature prior to the convening of the regular session of the year of the repeal date. The evaluation shall assess whether the regulatory program established by the chapter complies with the policies established by section 26H-2 and whether the public interest requires that the chapter be reenacted, modified, or permitted to expire. Each board or commission and the director shall assist the auditor in collecting and reporting such data as the auditor may require to conduct the evaluation. If the auditor finds that the chapter should be reenacted or modified, the auditor shall evaluate the effectiveness and

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efficiency of the regulatory program and make appropriate recommendations to improve policies, procedures and practices. The legislature may hold a public hearing on each evaluation report. If the auditor finds that a regulatory program within the chapter should be permitted to expire, the auditor shall make recommendations, if needed, for appropriate restrictions to be placed on the program subsequent to the termination of regulation.”

SECTION 3. Section 26H-6, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 26H-6 New regulatory measures. New regulatory measures being considered for enactment which if enacted would subject unregulated professions and vocations to licensing or other regulatory controls shall be referred to the director for analysis. The analysis required by this section shall set forth the probable effects of the proposed regulatory measure and assess whether its enactment is consistent with the policies set forth in section 26H-2. The analysis shall also assess alternative forms of regulation. The director shall submit each report of analysis to the legislature.”

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored.*

SECTION 5. This Act shall take effect upon its approval.

(Approved May 25, 1979.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.