

STAND. COM. REP. NO. 1767

Honolulu, Hawaii

April 6, 2015

RE: S.B. No. 218
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 218, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ORDER OF SUCCESSION,"

begs leave to report as follows:

The purpose of this measure is to allow for an expeditious transition of powers and duties to the successor to the office of Lieutenant Governor by clarifying the order of succession to the office of Lieutenant Governor when that office becomes vacant. Specifically, this measure:

- (1) Requires the President of the Senate and the Speaker of the House of Representatives to be of the same political party as the Governor as a qualification for succession;
- (2) Deletes the Attorney General, Comptroller, Director of Taxation, and Director of Human Resources Development from the order of succession; and
- (3) Allows the Governor to appoint a qualified person who is a member of the same political party as the Governor in the event that the President of the Senate, Speaker of the House of Representatives, or Director of Finance are unable to serve.

No testimony was received on this measure.

SB218 HD1 HSCR JUD HMS 2015-3046



Your Committee has amended this measure by:

- (1) Deleting the Director of Finance from the order of succession;
- (2) Making conforming amendments to ensure that the process for devolution of the powers and duties of the office in the temporary absence or disability of the Lieutenant Governor remains unchanged;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee finds that it is of great importance that the individuals eligible to succeed to the office of the Lieutenant Governor be of the same political party as the Governor, in order to respect the will of the voters who elected the Governor and Lieutenant Governor in a partisan election. Your Committee notes that while this bill clarifies the list of eligible individuals who may succeed to the office of the Lieutenant Governor, it nonetheless does not fill the absence in current law of a failsafe option in the event that the named individuals are unwilling or unqualified to serve as Lieutenant Governor and the appointing office of Governor is unoccupied. Your Committee respectfully requests that, as this bill continues through the Legislative process, consideration be given to the list of eligible individuals and concerns raised in the veto of H.B. No. 1288, H.D.1, S.D.1, C.D.1 in 2014.

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. 218, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 218, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.



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

Karl Rhoads

KARL RHOADS, Chair



