

STAND. COM. REP. NO.

2521

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 2055  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 2055 entitled:

"A BILL FOR AN ACT RELATING TO THE EXECUTIVE BRANCH,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Governor to provide written notice to the Senate, no later than the forty-first day of a regular legislative session, of the name of any gubernatorial nominee for an executive branch position that is subject to the Senate's advice and consent.

Your Committee received testimony in opposition to this measure from the Office of the Governor. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the proper and efficient functioning of government requires the timely confirmation of gubernatorial nominees. Each year, the Governor nominates many individuals to fill vacancies as required by law. Many of these nominees require the advice and consent of the State Senate. However, your Committee finds that the nomination of individuals by the Governor is often delayed and nominees are not brought before the Senate in a timely manner. In recent years, various Administrations have made a request to the Senate to extend its internal deadline to receive Governor nominations for vacant



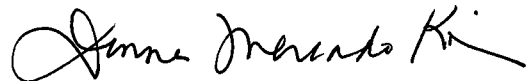
positions. Consequently, the delays and extensions in the confirmation process have resulted in important positions remaining unfilled or filled with nominees who are not qualified by the Senate, leading to inefficiencies in the Executive and Legislative branches of government. Moreover, delays in the nominating process impair the Senate's ability to appropriately vet nominees. Therefore, your Committee finds that a firm deadline by which the Governor shall submit nominees to the Senate for advice and consent should be codified into the law.

However, your Committee acknowledges testimony from the Department of the Attorney General raising concerns about the measure's language regarding Senate rules. Your Committee recognizes that there is some question about how or if Senate rules may have to be changed to effectuate this measure properly.

Accordingly, your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2055, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2055, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Government  
Operations,



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DONNA MERCADO KIM, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Government Operations**  
**GVO**

Bill / Resolution No.:* <i>SB 2055</i>	Committee Referral: <i>GVO</i>	Date: <i>2/8/18</i>		
<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
KIM, Donna Mercado (C)	<i>X</i>			
RUDERMAN, Russell E. (VC)	<i>X</i>			
GALUTERIA, Brickwood	<i>X</i>			
KEITH-AGARAN, Gilbert S.C.	<i>X</i>			
RHOADS, Karl	<i>X</i>			
<b>TOTAL</b>	<i>5</i>	<i>0</i>	<i>0</i>	<i>0</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>[Signature]</i>				
<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