

JAN 21 2011

S.B. NO. 625

A BILL FOR AN ACT

RELATING TO GUBERNATORIAL TRANSITION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 30-3, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The comptroller shall provide [~~upon request~~] to
4 each governor-elect, for use in connection with the governor-
5 elect's preparations for the assumption of official duties as
6 governor, all necessary services and facilities, including:

7 (1) Suitable office space within the state capitol complex
8 appropriately equipped with furniture, furnishings,
9 office machines and equipment, and office supplies as
10 determined by the comptroller after consultation with
11 the governor-elect [~~within the state capitol~~
12 ~~complex~~];

13 (2) [~~Payment of the compensation of~~] Compensation for
14 members of office staffs designated by the governor-
15 elect at rates determined by the governor-elect;
16 provided that any employee of any agency of the state
17 government may be detailed to [~~such~~] the governor-
18 elect's staffs on a reimbursable or nonreimbursable



1 basis[7] and while [~~so~~] detailed [~~such employee~~] shall
2 be responsible only to the governor-elect for the
3 performance of the employee's duties; and provided
4 further that any detailed employee [~~so detailed~~] shall
5 continue to receive the compensation provided pursuant
6 to law for the employee's regular employment[7] and
7 shall retain the rights and privileges of [~~such~~] that
8 employment without interruption. Notwithstanding any
9 other law to the contrary, persons receiving
10 compensation as members of office staffs under this
11 paragraph, other than those detailed from agencies,
12 shall not be held or considered to be employees of the
13 state government except for purposes of the public
14 employees retirement system;

15 (3) Payment of expenses for the procurement of services of
16 individual or organizational experts or consultants
17 [~~or organizations thereof~~] for the governor-elect at
18 rates not to exceed \$100 per diem for individuals;

19 (4) Payment of travel expenses and subsistence allowances,
20 not to exceed [~~that~~] those authorized for other state
21 employees, including rental by the state government of
22 hired motor vehicles[7] found necessary by the



1 governor-elect [~~as authorized~~] for persons employed
2 intermittently or for persons serving without
3 compensation, as may be appropriate;

4 (5) Communication services found necessary by the
5 governor-elect; and

6 (6) Payment of expenses for necessary printing and
7 binding.

8 Each governor-elect shall be entitled to conveyance of all mail,
9 including airmail, sent by the governor-elect in connection with
10 the governor-elect's preparations for the assumption of official
11 duties as governor."

12 SECTION 2. Section 30-4, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "~~[§]§30-4[§]~~ **Duties of outgoing governor.** [~~It shall be~~
15 ~~incumbent upon the~~] The outgoing governor [to:] shall:

16 (1) Provide channels enabling the governor-elect or the
17 governor elect's designee to:

18 (A) Inform career civil servants of the governor-
19 elect's program goals and new policies;

20 (B) [~~Effect communication channels~~] Communicate with
21 the administration of the governor[~~. The~~

22 governor-elect may obtain information from the



1 ~~governor's administration by circulating~~
2 ~~questionnaires or by other means. Information~~
3 ~~sought may include any questions which will]~~
4 through any means to effect the intent of [the
5 ~~legislature in enacting this legislation,] this~~
6 chapter to provide for the orderly transfer of
7 executive power as expressed in section 30-1 [~~-~~
8 ~~Such contacts may also include inquiries designed~~
9 ~~to elicit]; provided that each executive~~
10 department shall provide the governor-elect with
11 an exit document that contains descriptions of
12 programs [~~-~~]; recommendations [~~-~~] and
13 justifications for the elimination, curtailment,
14 or expansion of services [~~-~~]; projections of
15 future developments or needs within program
16 areas [~~-~~]; recommendations for administrative
17 changes [~~-~~]; comments upon anticipated federal
18 developments which might have program or
19 budgetary implications for state programs [~~-and~~];
20 information on any other significant pending
21 matters; and an elaboration of procedural
22 details [~~-~~]; and



1 (C) Conduct exit interviews with the director of
2 human resources development, the comptroller, the
3 attorney general, the director of finance, the
4 director of commerce and consumer affairs, the
5 director of taxation, the president of the
6 University of Hawaii, the superintendent of
7 education, the director of health, the director
8 of human services, the director of public safety,
9 the chairperson of the board of land and natural
10 resources, the chairperson of the board of
11 agriculture, the chairperson of the Hawaiian
12 homes commission, the director of business,
13 economic development, and tourism, the director
14 of transportation, the director of labor and
15 industrial relations, and the adjutant general
16 for the purpose of exchanging information to
17 achieve an orderly transition.

18 (2) Direct that official documents, vital information, and
19 procedural manuals be given to the governor-elect
20 ~~[upon the governor elect's request]."~~

21 SECTION 3. Section 30-5, Hawaii Revised Statutes, is
22 amended to read as follows:



1 " ~~[+]~~ §30-5 ~~[+]~~ Budgetary information to be given to the
2 ~~governor-elect~~. If the governor under whose supervision the
3 budget report has been prepared will be succeeded in office in
4 December next following:

5 (1) The director of finance shall make available to the
6 governor-elect ~~[so much as the governor-elect requests~~
7 ~~ef]~~ the information upon which the governor's budget
8 report is based, ~~[and upon completion]~~ a copy of the
9 governor's budget report ~~[shall supply the governor-~~
10 ~~elect with a copy thereof. The director of finance~~
11 ~~shall also make available]~~ upon its completion, and
12 all facilities reasonably necessary to permit the
13 governor-elect to review and ~~[familiarize oneself]~~
14 become familiar with the governor's budget report ~~[-]~~;

15 (2) After a review of the governor's budget, the governor-
16 elect may prepare revisions and additions ~~[thereto-~~
17 ~~The]~~ to it; provided that the director of finance
18 shall assist ~~[, upon request,]~~ in the preparation of
19 ~~[such]~~ any revisions or additions ~~[-]~~;

20 (3) The director of finance shall have as many copies of
21 the revised budget report printed as the governor-
22 elect requests ~~[-]~~;



- 1 (4) The director of finance shall compile a summary of the
 2 revised budget report containing the revenue and
 3 expenditure recommendations of the governor-elect and
 4 ~~[if requested by the governor elect may]~~ shall
 5 transmit a copy of the revised budget report to each
 6 member of the legislature~~[.]~~; and
- 7 (5) ~~[Upon request, the]~~ The director of finance shall
 8 distribute copies of the revised budget report~~[.]~~ to
 9 public libraries, schools, and state officials~~[. The~~
 10 ~~director of finance]~~ and shall make a reasonable
 11 number of copies of the revised budget report
 12 available to the general public."

13 SECTION 4. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 2011.

16

As introduced by INTRODUCED BY:

Nike Gattand
Will Egan
[Signature]

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Report Title:

Gubernatorial Transition

Description:

Makes mandatory the duties of the comptroller and the director of finance in the transition of gubernatorial administrations; Directs the administrative heads of each executive department to provide an exit document to and conduct an exit interview with the governor-elect or the governor elect's designee.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

