

Honolulu, Hawaii

FEB 08 2019

RE: S.B. No. 533

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred S.B. No. 533 entitled:

"A BILL FOR AN ACT RELATING TO STATE BOARDS AND COMMISSIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that any member of a state board or commission, whose nomination for appointment or reappointment is withdrawn by the Governor for cause prior to the Senate's action to advise and consent or not advise and consent, shall be considered disqualified for membership, and in the case of a reappointment, ineligible to continue to serve as a holdover member beyond the member's most recent term of appointment.

Your Committee did not receive any testimony on this measure.

Your Committee finds that existing law permits a member of a state board or commission to continue as a holdover member until a successor is nominated and appointed. However, clarification is needed to address situations where a board or commission member's nomination for appointment or reappointment is withdrawn by the Governor before the Senate has an opportunity to complete the advise and consent process. Your Committee further finds that if a member's nomination for reappointment has been withdrawn by the Governor for cause, that nominee should not then be able to continue serving as a holdover member. This measure therefore



clarifies that the Governor's withdrawal for cause of a nominee for a state board or commission renders that nominee disqualified for membership or ineligible to serve as a holdover member.

Your Committee has amended this measure by 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 533, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 533, S.D. 1, and be referred to your Committee on Ways and Means.

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



LAURA H. THIELEN, Chair



