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**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY RODERICK K. BECKER
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON FINANCE
ON
HOUSE BILL NO. 1263

**February 21, 2019
1:30 p.m.
Room 308**

RELATING TO ORDER OF SUCCESSION

House Bill (H.B.) No. 1263 amends the permanent order of succession to the Office of the Lieutenant Governor (LG). The bill: requires that the President of the Senate and Speaker of the House of Representatives be of the same political party as the Governor to succeed; deletes the current succession order after the Attorney General (i.e., Director of Finance, Comptroller, Director of Taxation and Director of Human Resources Development) and authorizes the Governor to appoint the LG if all of the preceding officers decline; and requires that the appointee be of the same party as the Governor and meet the qualifications specified in Article V, Section 2 of the Hawaii Constitution (i.e., qualified voter at least 30 years old and a resident of the State for 5 years immediately preceding appointment).

The Department of Budget and Finance would like to point out that a similar bill, H.B. No. 1288, H.D. 1, S.D. 1, C.D. 1, was vetoed by Governor Abercrombie in 2014. H.B. No. 1288 was vetoed because the revised order of succession for the LG leaves a potential gap in the event where: (a) the Governor and Lieutenant Governor are not of

the same political party as the President of the Senate and Speaker of the House; and (b) the Governor and Lieutenant Governor are both permanently unable to hold their respective offices at the same time. Although the chances of this occurring would be small, it could conceivably have happened under the prior Lingle Administration. If this revised order of succession were in effect and something happened where both Governor Lingle and Lieutenant Governor Aiona were permanently unable to perform their duties at the same time, then the State would have ended up in a situation without a Governor -- the President and Speaker would not have been eligible to succeed to LG and Governor Lingle would not have been able to appoint the succeeding LG.

The major difference with this bill versus the bill that was vetoed in 2014 is that H.B. No. 1263 retains the Attorney General in the order of succession. While this places another public officer in the succession order, it still leaves only two successors after the President and Speaker, unlike the current order which provides five successors. The purpose of the order of succession is to avoid confusion and disruption of the normal function of state government even in the most unlikely of circumstances.

Thank you for your consideration of our comments.

HB-1263

Submitted on: 2/20/2019 1:05:07 PM

Testimony for FIN on 2/21/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

HB-1263

Submitted on: 2/16/2019 4:33:12 PM

Testimony for FIN on 2/21/2019 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	Individual	Oppose	Yes

Comments:

Aloha Representatives,

While I support the change I believe that this measure should be amended to include - advise and consent of the Senate if it gets past the Attorney General. The others that are in the line of succession already had that scrutiny or they were elected by the people.

Mahalo,

Michael Golojuch, Jr.