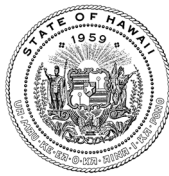


DAVID Y. IGE  
GOVERNOR



RODERICK K. BECKER  
DIRECTOR

ROBERT YU  
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM  
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
OFFICE OF THE PUBLIC DEFENDER

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

P.O. BOX 150  
HONOLULU, HAWAII 96810-0150

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 JUDICIARY  
ON  
HOUSE BILL NO. 1263

**February 1, 2019  
2:00 p.m.  
Room 325**

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 Late

**LATE**

**HB-1263**

Submitted on: 1/31/2019 6:23:13 PM

Testimony for JUD on 2/1/2019 2:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leimomi Khan	Individual	Support	No

Comments:

Support. The bill is common sense.