

STAND. COM. REP. NO.

1081

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 1122
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1122 entitled:

"A BILL FOR AN ACT RELATING TO THE ADVICE AND CONSENT OF THE SENATE,"

begs leave to report as follows:

The purpose and intent of this measure is to require nominees for the position of Deputy Director, First Deputy, or Deputy Chair, as the case may be, of principal departments to be subject to advice and consent of the Senate.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that nominees for the positions of Deputy Director, First Deputy, and Deputy Chair should be subject to the advice and consent of the Senate, and such process should be codified in law. These positions are key leadership roles, and therefore hold significant authority and influence, both in executing the core duties of the departments and also in the executive branch as a whole. Codifying the practice of advice and consent for these positions would absolve any legal ambiguity as to the process and ensure that the nominees also are worthy and knowledgeable to execute the duties and responsibilities of the departments.



Your Committee has amended this measure by:

- (1) Adding language to require multiple deputy directors, first deputies, and deputy chairs, as the case may be, for each department that has multiple individuals who serve in the same role to also be subject to the advice and consent of the Senate;
- (2) Adding language that requires a person to file a disclosure of financial interest within thirty days of a person's nomination to any state position enumerated in section 84-17(d), Hawaii Revised Statutes, that is subject to the advice and consent of the Senate; and
- (3) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1122, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1122, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 1122	Committee Referral: GVO, JDC	Date: 3/1/23
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	4	—	—	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes