

STAND. COM. REP. NO. **366**

Honolulu, Hawaii

FEB 16 2023

RE: S.B. No. 349
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 Government Operations, to which was referred S.B. No. 349 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to specify that the nominated members of certain boards and commission are not subject to the Senate's advice and consent process.

Your Committee did not receive any testimony on this measure.

Your Committee finds that governmental advisory boards provide up-to-date information, critical thinking, and analysis to the decision-makers who represent the government entity that the board is advising, and that the advisory board does not make decisions. Your Committee further finds that the Governor is charged with nominating qualified individuals to state advisory board and commission positions, and not all advisory board commission nominees need to be subject to the advice and consent process of the Senate.

Your Committee also finds that to simply nullify all advice and consent of the Senate would remove an important component of oversight for the boards and commissions named in this measure. However, your Committee finds that requiring the entire Senate to repeatedly convene to provide advice and consent of these named



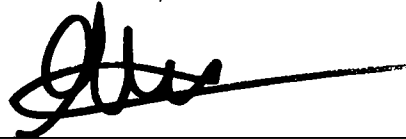
boards and commissions places a burden on the body, and as such by limiting the advice and consent function to the Senate Standing Committee on Government Operations, the Senate can retain advice and consent function over these boards while not unduly burdening this body.

Your Committee has amended this measure by:

- (1) Allocating the advice and consent function specifically to the Senate Standing Committee on Government Operations;
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion; 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 349, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 349, S.D. 1, and be referred to your Committee on Judiciary.

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



ANGUS L.K. MCKELVEY, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

| | | |
|---|--|------------------------|
| Bill / Resolution No.:* <i>SB349</i> | Committee Referral: <i>GVO, JDC</i> | Date: <i>2-2-23</i> |
|---|--|------------------------|

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 |
|--------------------------|----------|----------|----------|----------|
| MCKELVEY, Angus L.K. (C) | ✓ | | | |
| GABBARD, Mike (VC) | ✓ | | | |
| SAN BUENAVENTURA, Joy A. | ✓ | | | |
| WAKAI, Glenn | ✓ | | | |
| AWA, Brenton | ✓ | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL | <i>5</i> | <i>—</i> | <i>—</i> | <i>—</i> |

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


Distribution:
 Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes