Honolulu, Hawaii

FEB 1 2 2025

RE: S.B. No. 1205
        S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

        Your Committee on Government Operations, to which was
referred S.B. No. 1205 entitled:

        "A BILL FOR AN ACT RELATING TO STATE ORGANIZATION AND
        ADMINISTRATION,"

begs leave to report as follows:

        The purpose and intent of this measure is to:

        (1)   Require departments, offices, and other state agencies
              that make a final determination to reorganize to submit
              a report to the Legislature; and

        (2)   Require the report to include an estimated timeline for
              the completion of the reorganization and the divisions
              and positions affected by the reorganization.

        Your Committee received comments on this measure from the
Department of the Attorney General and Department of Budget and
Finance.

        Your Committee finds that the Legislature is not suitably
kept abreast of reorganizations within departments, offices, and
other state agencies. While these reorganization processes are
governed by administrative rules and directives, it is essential
to an effective cooperative government that the legislative branch
remains aware of changes within the executive. This measure will

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improve communication between the branches by requiring departments, offices, and other state agencies to submit reports to the Legislature following a decision to reorganize.

Your Committee further notes the testimony of the Department of Budget and Finance, stating that the organization of executive branch departments, offices, and agencies is currently governed by Hawaii Administrative Directives, which are well suited to the task. Your Committee recognizes that creating new requirements would burden state departments, offices, and other state agencies affected.

Accordingly, your Committee has amended this measure by deleting its contents and inserting language that requires state executive branch departments, offices, and other agencies to:
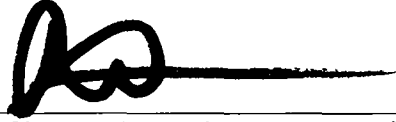
(1) Comply with directive number 19-02, Hawaii Administrative Directives, as extended by directive number 23-01, Hawaii Administrative Directives, when making changes in their organization or functions; and

(2) Submit annual reports to the Legislature.

Your Committee notes the concerns raised during the hearing that this measure, as amended, may be subject to challenge under the Hawaii State Constitution for title issues, as the measure no longer addresses the issue captured in its title and the title may be construed to express more than one issue. Your Committee finds that these issues raise concerns that merit further consideration and respectfully requests that subsequent Committees to which this measure is referred examine them.

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. 1205, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1205, S.D. 1, and be referred to your Committee on Ways and Means.

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

ANGUS L.K. MCKELVEY, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:* SB1205	Committee Referral: GVO, WAM	Date: 2-6-25

☐ 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)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	—	—	—

Recommendation:
☑ Adopted   ☐ Not Adopted

Chair's or Designee's Signature:

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*Only <u>one</u> measure per Record of Votes