



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.B. NO. 1205, RELATING TO STATE ORGANIZATION AND ADMINISTRATION.

BEFORE THE:

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

DATE: Tuesday, February 4, 2025 **TIME:** 3:05 p.m.

LOCATION: State Capitol, Room 225

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Ian Robertson, Deputy Attorney General

Chair McKelvey and Members of the Committee:

The Department of the Attorney General provides the following comments.

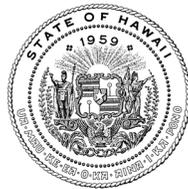
The purpose of this bill is to require all departments, offices, and other state agencies that make a final determination to reorganize to submit a report to the Legislature, including an estimated timeline for the completion of the reorganization and the divisions and positions affected by the reorganization.

This bill may be subject to challenge under the single subject requirement of section 14 of article III of the State Constitution, which provides, in part: "Each law shall embrace but one subject, which shall be expressed in its title." The title of this bill "Relating to State Organization and Administration" may potentially be construed to express multiple subjects. We suggest that the contents of this bill be placed into another bill with a title that clearly embraces one subject, such as "Relating to Government."

Furthermore, the term "reorganize" is not defined in this bill or in chapter 26, Hawaii Revised Statutes, where this mandate would be codified. This may result in an unclear standard for when a department, office, or other state agency is obligated to submit a report.

To avoid this issue, we respectfully suggest that the bill be amended to include a definition of "reorganize."

We respectfully ask the Committee to consider our comments.



JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

SABRINA NASIR
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
Ka 'Oihana Mālama Mo'ohelu a Kālā
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

TESTIMONY BY LUIS P. SALAVERIA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS
ON
SENATE BILL NO. 1205

February 4, 2025
3:05 p.m.
Room 225 and Videoconference

RELATING TO STATE ORGANIZATION AND ADMINISTRATION

The Department of Budget and Finance offers comments on this bill.

Senate Bill No. 1205 proposes to amend Chapter 26, Executive and Administrative Departments, HRS, to require departments, offices, and other State agencies that make a final determination to reorganize to submit a report to the Legislature. The report must include an estimated timeline for the completion of the reorganization and the divisions and positions affected by the reorganization.

Reorganizations are currently conducted under the policies and procedures outlined in Administrative Directive (A.D.) No. 19-02, Policy and Procedures for Effecting Organizational and Functional Statement Changes, as extended by A.D. No. 23-01, Extension of A.D. No. 19-02, Policy and Procedures for Effecting Organizational and Functional Statement Changes. Under A.D. No. 19-02, reorganizations must be approved by the Governor or the respective department director, if the reorganization is below the division level or cost neutral at the Program ID level. As such, it is unclear when the report would be required.

Thank you for your consideration of our comments.