



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

Senate Committee on Government Operations

Tuesday, February 4, 2025

3:05 p.m.

State Capitol, Conference Room 225 and Videoconference

In Opposition

Senate Bill No. 1611, Relating to Government Positions

Chair McKelvey, Vice Chair Gabbard, and Members of the Senate Committee on Government Operations:

The Office of the Governor respectfully opposes S.B. No. 1611, Relating to Government Positions. This bill would require advice and consent for certain Senior Advisors appointed within the Governor's Office along with advice and consent requirements for the First Deputy Director for the Department of Human Services.

The proposed changes to Chapters 26 and 346, Hawai'i Revised Statutes, presents several governance challenges for consideration:

1. **Limits Executive Flexibility:** The measure requires Senate advice and consent for gubernatorial appointees within the Governor's Office and includes new advice and consent requirements for the Department of Human Services. These requirements restrict the Governor's ability to quickly and efficiently appoint individuals to key roles, potentially delaying decisions critical to the functioning of the executive branch.
2. **Overly Broad Scope:** This broad application on certain staff within the Governor's Office, imposes additional procedural requirements on appointments that may not warrant such heightened oversight.
3. **Strains Separation of Roles:** By extending the Senate's role into the confirmation of a wide range of executive branch appointees, this measure introduces a new layer of procedural complexity that could affect the ability of the executive branch to operate efficiently. The Governor is tasked with executing state laws, including appointing personnel to implement those laws. Expanding the confirmation process risks introducing delays in fulfilling this mandate.
4. **Risk of Delayed Appointments:** While Senate advice and consent processes promote transparency, expanding this process to a wide array of positions could

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result in delays, hindering the timely appointment of qualified individuals and affecting government efficiency.

In conclusion, the provisions introduce challenges that could impede the Governor's ability to manage executive branch appointments effectively. While we are open to continued discussion on the matter of appointees, the Office respectfully requests you defer this measure.

Thank you very much for the opportunity to provide testimony on this measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



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February 2, 2025

TO: The Honorable Senator Angus L.K. McKelvey, Chair
Senate Committee on Government Operations

FROM: Ryan I. Yamane, Director

SUBJECT: **SB 1611 – RELATING TO GOVERNMENT POSITIONS.**

Hearing: February 4, 2025, 3:05 p.m.
Conference Room 225 & Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) respectfully opposes the measure, agrees with the Governor's testimony, and provides comments.

PURPOSE: Requires a person appointed to serve as the Governor's Senior Advisor for Mental Health and the Justice System, Governor's Coordinator on Homelessness, or another position that serves as a senior advisor to the Governor to obtain the advice and consent of the Senate. Requires the First Deputy Director of Human Services to obtain the advice and consent of the Senate; provided that if there is more than 1 deputy director in the Department of Human Services and no deputy director is designated as the 1st deputy director, then all persons holding the title of deputy director must obtain the advice and consent of the Senate.

DHS serves nearly one-third of the population with one or more vital benefits. Executive leadership transitions are the most difficult times within the Department, and anyone who becomes the Director of Human Services or Deputy Director has an incredibly steep learning curve. The Governor and Director need the flexibility to choose the Deputy Directors who will serve in those roles to execute the Governor's priorities and the Director's vision. Once chosen

by the Governor, there is little onboarding time for the Director or Deputies to ramp up as compliance and oversight of the portfolio of programs and benefits do not pause with leadership transitions. Especially in times of emergencies, such as the COVID-19 Pandemic and the Maui Wildfires, the Deputy Directors were essential in addressing the complex situations, taking on new responsibilities on behalf of the State and the Department to quickly address the emergency needs of Hawaii's residents while assisting the Director with maintaining oversight of regular programming.

Adding the Senate Advice & Consent process to Deputy Director positions would undermine the authority of the Governor and the Director regarding the leadership team's ability to coalesce and execute the law and the Governor's priorities. The uncertainty and delay that accompanies the Senate Advice & Consent processes would hinder the administrative workload required by the Director. Additionally, the DHS staff, contracted providers, and community and federal partners need to have confidence in the leadership appointments to form the trusting working relationships necessary to address the complexity of challenges that are inherent in delivering social services.

A similar analysis holds for the appointment of the Governor's Coordinator on Homelessness. To execute the mission of the State Office on Homelessness & Housing Solutions, the Governor requires a person whom the executive departments, the Judiciary, the Counties, and community providers understand represents the Governor's vision to address homelessness.

Thank you for the opportunity to provide comments on this measure.