Honolulu, Hawaii
Rebruary | 1 , 2014

RE: H.B. No. 1288 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1288 entitled:

"A BILL FOR AN ACT RELATING TO ORDER OF SUCCESSION,"

begs leave to report as follows:

The purpose of this measure is to clarify the order of succession that determines who succeeds the Lieutenant Governor upon a vacancy in the Office of the Lieutenant Governor caused by his or her succession to the Office of the Governor, failure to qualify, removal from office, death, resignation, or otherwise. Specifically, this measure changes the list of and qualifications for successors to the Office of the Lieutenant Governor by:

- (1) Maintaining succession to, first, the Senate President followed by the House Speaker, provided that the individual meets the new qualification of being of the same political party as the Governor;
- (2) Deleting from the list of successors, should the Senate President and House Speaker not succeed, the Attorney General, Director of Finance, Comptroller, Director of Taxation, and Director of Human Resources Development; and
- (3) Designating as the successor, should the Senate
 President and House Speaker not succeed, an individual

appointed by the Governor who is a member of the same political party as the Governor and constitutionally qualified to serve.

An individual provided testimony in opposition to this measure.

Your Committee has amended this measure by:

- (1) Maintaining the list of officers who shall assume the powers and duties of the Office of the Lieutenant Governor when the Lieutenant Governor is temporarily absent from the State or temporarily disabled by inserting language specifying the Attorney General, Director of Finance, Comptroller, Director of Taxation, and Director of Human Resources Development, in that order; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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 H.B. No. 1288, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1288, H.D. 1, and be placed on the calendar for Third Reading.

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

KARL RHOADS, Chair

State of Hawaii House of Representatives The Twenty-seventh Legislature

HSCR 350-14

Record of Votes of the Committee on Judiciary

HB 1288	Committee Referral:		Date:	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold				
Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. HAR, Sharon E. (VC)				
3. BELATTI, Della Au				
4. BROWER, Tom	/			
5. CREAGAN, Richard				
6. ITO, Ken				
7. KAWAKAMI, Derek S.K.				<u> </u>
8. LEE, Chris				
9. NAKASHIMA, Mark M.			8.	
10. TSUJI, Clift				
11. WOOLEY, Jessica	·			
12. MCDERMOTT, Bob				
13. THIELEN, Cynthia				
TOTAL (13)	12_			}
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				