
A BILL FOR AN ACT

RELATING TO ELECTIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. Section 11-7, Hawaii Revised Statutes, is amended as follows:

1. By amending subsections (a) and (b) to read:

"(a) There is established an elections commission within the department of accounting and general services for administrative purposes. The elections commission shall ~~[consist of]~~ include nine members consisting of eight commissioners and a chairperson who shall be selected as follows:

- (1) The president of the senate shall select two elections commission members;
- (2) The speaker of the house of representatives shall select two elections commission members;
- (3) The senators belonging to a party or parties different from the president of the senate shall designate one senator to select two elections commission members;



1 (4) The representatives belonging to a party or parties
2 different from the speaker of the house of
3 representatives shall designate one representative to
4 select two elections commission members; and

5 (5) One member, who shall serve as chairperson of the
6 elections commission, shall be selected by the members
7 of the elections commission selected pursuant to
8 paragraphs (1) to (4);

9 provided that each group of four elections commission members
10 selected by each house shall include one elections commission
11 member from each of the four counties.

12 (b) The chairperson of the elections commission under
13 subsection (a) (5) shall be selected by a two-thirds vote[-] of
14 the commissioners selected pursuant to subsection (a) (1) to (4);
15 provided that the tenure of the chairperson shall be subject to
16 subsection (f) and also to removal at-will by a two-thirds vote
17 of the commissioners at any time."

18 2. By amending subsections (e) through (g) to read:

19 "(e) [~~Notwithstanding section 26-34,~~] The elections
20 commission [~~member appointments~~] shall not be subject to
21 [~~senatorial confirmation.~~] section 26-34.



1 (f) The term of the elections [~~commissioners~~] commission
 2 members, including the chairperson, shall be four years[~~-~~
 3 ~~except~~]; provided that with respect to the terms of the initial
 4 elections commission members, one member selected from each of
 5 subsection (a)(1) to (4) shall serve for a term of two years[~~-~~];
 6 provided further that no member, including the chairperson,
 7 shall serve more than two consecutive terms or more than eight
 8 consecutive years on the commission. The term of each
 9 commissioner selected pursuant to subsection (a)(1) to (4) shall
 10 commence on July 1 and expire on June 30.

11 (g) The elections [~~commissioners~~] commission members shall
 12 serve without compensation, but shall be reimbursed for
 13 reasonable expenses, including travel expenses, necessary for
 14 the performance of their duties."

PART II

16 SECTION 2. Section 15-5, Hawaii Revised Statutes, is
 17 amended by amending subsection (a) to read as follows:

18 "(a) Immediately upon receipt of a request for absentee
 19 ballot within the time limit specified in section 15-4, the
 20 clerk shall examine the records to ascertain whether [~~or not~~]
 21 the voter is lawfully entitled to vote as requested. [~~As soon~~

1 ~~as the printed official ballots are available,]~~ If the clerk
2 ascertains that the voter is lawfully entitled to vote as
3 requested, no earlier than thirty days before the election, the
4 clerk shall mail in a forwarding envelope, or deliver in person
5 if the voter appears at the office of the clerk, an official
6 ballot and other materials prescribed in section 15-6, except
7 that an incapacitated voter may send a representative to obtain
8 the voter's ballots pursuant to the rules [promulgated] adopted
9 by the chief election officer~~[- All requests received upon the~~
10 ~~last day specified in section 15-4 for receipt shall be mailed~~
11 ~~to the voter requesting the same as soon as reasonably~~
12 ~~practicable, but in no event later than twenty four hours after~~
13 ~~receipt thereof.];~~ provided that official ballots and other
14 materials prescribed in section 15-6 shall be mailed or
15 delivered:

16 (1) To uniform military and overseas voters pursuant to
17 section 15D-9; and

18 (2) No later than twenty-four hours after receipt of the
19 request for absentee ballot for requests received on
20 the last day specified in section 15-4."

21 **PART III**

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Elections Commission; Absentee Ballot Delivery

Description:

Clarifies that the chairperson of the elections commission serves at-will and may be removed by a 2/3 vote of the commissioners. Clarifies the term limits of the members of the elections commission, including the chairperson. Creates a statewide standard for the distribution of absentee ballots.
(Proposed SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

