

STAND. COM. REP. NO. 1294

Honolulu, Hawaii

APR - 2 2015

RE: H.B. No. 15  
H.D. 1  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 15, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to create a  
statewide standard for the distribution of absentee ballots.

Your Committee received testimony in support of this measure  
from the Office of the County Clerk, County of Maui; Office of the  
City Clerk, City and County of Honolulu; Office of the County  
Clerk, County of Hawaii; and Common Cause Hawaii.

Prior to the hearing on this measure, your Committee posted  
and made available for public review a proposed S.D. 1, which  
inserts language to:

- (1) Clarify that the Chairperson of the Elections Commission  
serves at-will and may be removed by a two-thirds vote  
of the commissioners; and
- (2) Clarify the term limits of the members of the Elections  
Commission, including the Chairperson.

Your Committee received testimony in opposition to the  
proposed S.D. 1 from the League of Women Voters and Common Cause



Hawaii. Your Committee received comments on the proposed S.D. 1 from the Department of the Attorney General.

Your Committee finds that this measure will implement a standard distribution of absentee ballots so that voters may anticipate receiving their absentee ballots at similar times. Your Committee further finds that section 11-7, Hawaii Revised Statutes, regarding the Elections Commission, is unclear regarding the removal of the Chairperson of the Elections Commission as well as the term start and end dates and term limits of Elections Commission members, including the Chairperson. This measure provides further clarity and accountability.

Your Committee has amended this measure by adopting the proposed S.D. 1 and further amending the proposed S.D. 1 by adopting language suggested by the Department of the Attorney General to provide a process for holdovers to avoid any unintended vacancies on the Elections Commission when the term of the Chairperson or a commission member expires and a selection has not been made.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 15, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 15, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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



GILBERT S.C. KEITH-AGARAN, Chair



