

STAND. COM. REP. NO. 1774

Honolulu, Hawaii  
A-23, 2007

RE: S.B. No. 1063  
S.D. 1  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1063, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES,"

begs leave to report as follows:

The purpose of this bill is to require the Governor, in filling legislative vacancies in the State Senate, State House of Representatives, and United States Senate, to select from a list of three prospective appointees nominated by the political party of the prior incumbent. The prospective appointees must be registered members of the nominating political party at the time of submission of the list.

The League of Women Voters of Hawaii, Hawaii State Teachers Association, and the State Democratic Party testified in support of this bill. The Department of the Attorney General provided comments.

Your Committee strongly agrees that it is important to the people of our state that every legislative vacancy is filled in a manner that is more consistent and predictable than has been the practice in recent years, and that results in an appointee who is likely to represent the interests of constituents in a manner similar to that of the prior incumbent.



Your Committee has amended this measure to more closely reflect the contents of House Bill No. 304, H.D. 1. Specifically, your Committee has revised this measure to require every appointee to the offices of United States Senator, State Senator, and State Representative vacancies to:

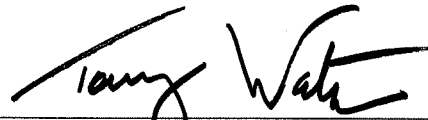
- (1) Have been a member of the same political party as the prior incumbent for at least the six-month period immediately preceding the appointment; and
- (2) Be, at the time of appointment, a resident of the same electoral district as the prior incumbent.

Your Committee finds that registration is no longer applicable to party membership. Therefore, this bill has also been amended by deleting the requirement that an appointee be a "registered" member of the same political party as the prior incumbent.

Your Committee also made technical, nonsubstantive amendments for style, clarity, and consistency.

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 S.B. No. 1063, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1063, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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



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TOMMY WATERS, Chair



