

STAND. COM. REP. NO. 675

Honolulu, Hawaii

March 5, 2009

RE: H.B. No. 128
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 128 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this bill is to make nomination papers for an elective office available until the fifty-eighth calendar day before the filing deadline. This bill also specifies that in cases where no candidates have filed nomination papers for an elective office, the Chief Election Officer or county clerk shall make nomination papers available and accept nomination papers for the elective office no later than 4:30 p.m. on the third business day following the filing deadline.

The Chief Election Officer submitted comments on this bill.

Your Committee has amended this measure by:

- (1) Making nomination papers for an elective office available until 4:30 p.m. on the Friday before the final day for filing;
- (2) In cases where no candidates have filed nomination papers for an elective office, requiring the Chief Election Officer or county clerk to:



- (A) Make nomination papers available no later than 4:30 p.m. on the second calendar day following the filing deadline; and
- (B) Accept filing of the nomination papers until 4:30 p.m. on the fiftieth day prior to the election;
- (3) Inserting the substance of House Bill No. 613, Regular Session of 2009, which requires the Office of Elections to develop and implement a standardized withdrawal and declaration of candidacy form;
- (4) Changing its effective date to January 1, 2046, to promote further discussion; and
- (5) Making technical, nonsubstantive amendments for style, clarity, and consistency.

Your Committee hopes that these changes will clarify existing law for the benefit of candidates and voters alike.

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. 128, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 128, H.D. 1, and be placed on the calendar for Third Reading.

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



JON RIKI KARAMATSU, Chair



