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# A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1           SECTION 1. The purpose of this Act is to improve the  
2 elections system by:

- 3           (1) Granting the chief election officer direct recourse to  
4           the Hawaii supreme court to resolve election matters;  
5           (2) Establishing standards for the selection of members to  
6           the elections commission; and  
7           (3) Requiring elections commission members to hold over  
8           until their vacancies are filled.

9           SECTION 2. Section 11-2, Hawaii Revised Statutes, is  
10 amended to read as follows:

11           "§11-2 Chief election officer; duties. (a) The chief  
12 election officer shall supervise all state elections. The chief  
13 election officer may delegate responsibilities in state  
14 elections within a county to the clerk of that county or to  
15 other specified persons.

16           (b) The chief election officer shall be responsible for  
17 the maximization of registration of eligible electors throughout  
18 the State. In maximizing registration, the chief election



1 officer shall make an effort to equalize registration between  
2 districts, with particular effort in those districts in which  
3 the chief election officer determines registration is lower than  
4 desirable. The chief election officer, in carrying out this  
5 function, may make surveys, carry on house-to-house canvassing,  
6 and assist or direct the clerk in any other area of  
7 registration.

8 (c) The chief election officer shall maintain data  
9 concerning registered voters, elections, apportionment, and  
10 districting. The chief election officer shall use this data to  
11 assist the reapportionment commission provided for under Article  
12 IV of the Constitution.

13 (d) The chief election officer shall be responsible for  
14 public education with respect to voter registration and  
15 information.

16 (e) The chief election officer may institute, or intervene  
17 as a party in, any action in the supreme court seeking a writ of  
18 mandamus or prohibition, or injunctive or other relief, to  
19 compel compliance with this chapter, any rule or order adopted  
20 thereunder, or any provision of the constitution relating to  
21 elections, or to restrain or otherwise prevent or prohibit any  
22 illegal or unauthorized conduct in connection therewith.



1        [~~e~~] (f) The chief election officer shall adopt rules  
2 governing elections in accordance with chapter 91."

3        SECTION 3. Section 11-7, Hawaii Revised Statutes, is  
4 amended as follows:

5        1. By amending subsection (a) to read:

6        "(a) There is established an elections commission within  
7 the department of accounting and general services for  
8 administrative purposes. The elections commission shall consist  
9 of nine members who shall be selected based upon the member's  
10 reputation for neutrality, efficiency, and integrity, a bona  
11 fide interest in matters of statewide concern, and a proven  
12 commitment to public service as follows:

13        (1) The president of the senate shall select two elections  
14 commission members;

15        (2) The speaker of the house of representatives shall  
16 select two elections commission members;

17        (3) The senators belonging to a party or parties different  
18 from the president of the senate shall designate one  
19 senator to select two elections commission members;

20        (4) The representatives belonging to a party or parties  
21 different from the speaker of the house of



1           representatives shall designate one representative to  
2           select two elections commission members; and  
3           (5) One member, who shall serve as chairperson of the  
4           elections commission, shall be selected by the members  
5           of the elections commission selected pursuant to  
6           paragraphs (1) to (4);  
7           provided that each group of four elections commission members  
8           selected by each house shall include one elections commission  
9           member from each of the four counties."

10           2. By amending subsection (c) to read:

11           "(c) A vacancy in the elections commission shall be filled  
12           in the same manner as the original appointment as specified in  
13           subsection (a) within fifteen days. A vacancy in the elections  
14           commission shall be filled with a person from the same county as  
15           the departing elections commission member. Elections commission  
16           member vacancies not filled within the times specified shall be  
17           filled promptly thereafter by the chief justice of the supreme  
18           court. Until a vacancy is filled, the person vacating the  
19           elections commission shall remain as a holdover member."

20           SECTION 4. Statutory material to be repealed is bracketed  
21           and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval;  
 2 provided that the amendment made under section 2 shall be  
 3 repealed upon the ratification of a constitutional amendment to  
 4 grant the elections commission supervisory authority over the  
 5 chief election officer.

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**Report Title:**

Elections Commission; Chief Election Officer

**Description:**

Grants the chief election officer direct recourse to the supreme court to resolve election matters. Establishes standards for the selection of members to the elections commission. Requires elections commission members to hold over until vacancies are filled.

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

