

JAN 21 2010

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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INTRODUCED BY:

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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.

