

STAND. COM. REP. NO. 412

Honolulu, Hawaii
Feb 17, 2011

RE: H.B. No. 1368
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1368 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this bill is to bring fairness and clarity to the election process by, among other things:

- (1) Defining the term "party candidate" in relation to the provisions governing the filling of vacancies caused by the death, withdrawal, or disqualification of the candidate;
- (2) Clarifying the candidate filing process by stipulating that any person who withdraws their nomination papers prior to the close of filing shall not be considered to have caused a vacancy that may be filled by the candidate's party; and
- (3) Granting the Supreme Court original jurisdiction to resolve challenges to an individual's candidacy.

The League of Women Voters of Hawaii, Democratic Party of Hawaii, and a concerned individual testified in support of this bill. The Representative from the 14th Representative District provided comments.

HB1368 HD1 HSCR JUD HMS 2011-2325




Your Committee has amended this bill by:

- (1) Deleting language conferring immediate jurisdiction of the Supreme Court for cases of objection by a political party;
- (2) Changing its effective date to January 7, 2059, to encourage further discussion; and
- (3) Making technical, non-substantive amendments for clarity, consistency, and style.

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. 1368, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1368, H.D. 1, and be referred to the Committee on Finance.

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



GILBERT KEITH-AGARAN, Chair



