

STAND. COM. REP. NO.

1113

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 593
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 593, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NOMINATION PAPERS,"

begs leave to report as follows:

The purpose and intent of this measure is to ensure that the public has qualified candidates running for elected office by requiring that candidates for elected county office submit a sworn oath certifying compliance with relevant provisions of county charters and ordinances.

Your Committee received testimony in support of this measure from two County Council members from the County of Maui.

Your Committee finds that section 12-3, Hawaii Revised Statutes, enumerates the information that a candidate for public office must include with the candidate's nomination papers. Specifically, section 12-3, Hawaii Revised Statutes, requires sworn certifications by the candidate that the candidate has complied with various provisions of the law. If the required certifications are not included with the nomination papers, pursuant to section 12-3(f), Hawaii Revised Statutes, the nomination papers shall be deemed void and will not be accepted for filing by the chief election officer or clerk. Your Committee also finds that this measure would add a requirement that candidates for elective county office submit a sworn certification



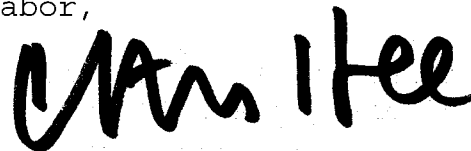
that the candidate has complied with provisions of the relevant county charter or ordinances pertaining to elected officials.

Your Committee further finds that it is reasonable to expect candidates for county elective office to affirmatively acknowledge compliance with applicable county provisions and may encourage those candidates to review the relevant county charter and ordinances in which they choose to run for an elected office. While your Committee understands that compliance with county eligibility requirements is implicit upon the acceptance of nomination papers by county clerks from prospective candidates for county office, this measure will codify this certification obligation and require candidates to clearly affirm their compliance.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 593, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 593, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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



CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 593, HD1	Committee Referral: JDL	Date: 3/16/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike				✓
IHARA, Jr., Les				✓
SLOM, Sam	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes