

STAND. COM. REP. NO. 584

Honolulu, Hawaii
Feb 18, 2011

RE: H.B. No. 638
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. 638 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this bill is to ensure public support and confidence in elected officials by authorizing the use of the instant runoff method of voting for elections with no primary election and in special elections subject to a runoff election if no candidate received a majority vote in the initial special election; provided that in instant runoff elections, a majority vote shall be required unless no candidate achieves a majority after the fourth run-off tabulation, in which case the candidate with highest vote count wins.

The Progressive Democrats of Hawaii, Americans for Democratic Action, and several concerned individuals testified in support of this measure. The Office of Elections and the Democratic Part of Hawaii provided comments.

Your Committee has amended this bill by:

- (1) Narrowing the application of the instant runoff voting method to elections for county office;
- (2) Requiring counties to use instant runoff voting in elections with no primary election and special elections

HB638 HD1 HSCR JUD HMS 2011-2334



that would normally require a runoff election if no candidate received a majority of votes cast;

- (3) Establishing that if there is no candidate who is elected by a majority of the votes after the first tabulation of votes, all candidates who received less than one percent of the votes will be eliminated and their votes transferred to the next candidate selected on the ballot;
- (4) Requiring the Office of Elections to distribute educational materials explaining instant runoff voting prior to the election; and
- (5) Making technical, nonsubstantive changes 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. 638, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 638, 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



