

STAND. COM. REP. NO.

154

Honolulu, Hawaii

Feb 9, 2011

RE: H.B. No. 838
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. 838 entitled:

"A BILL FOR AN ACT RELATING TO REAPPORTIONMENT,"

begs leave to report as follows:

The purpose of this bill is to appropriate an unspecified amount of funds for the operation of the Reapportionment Commission.

Pursuant to the requirements set forth in Article VII, Section 9, of the Hawaii State Constitution, the Governor, in his Governor's Message No. 103 to the Legislature, requested immediate consideration and passage of this bill by the Legislature citing an existing critical funding shortage.

The Office of Elections testified in support of this bill but requested several amendments.

During the public hearing, the Office of Elections responded to questions about its suggested amendments, including the decrease from five temporary full-time positions to four. While the Office of Elections does not believe it will utilize five positions, your Committee decided to authorize the creation of five positions as may be necessary. The additional amendments proposed by the Office of Elections were also given serious consideration.

HB838 HD1 HSCR JUD HMS 2011-2013



Accordingly, your Committee has amended this bill by:

- (1) Inserting language clearly citing the relevant provisions of the State Constitution, Section 9, Article VII, that authorizes the request for immediate passage of this emergency appropriation measure;
- (2) Amending the purpose section of the measure to further explain the purpose and intent of this bill, specifically, noting the emergency appropriation and authorization of full-time temporary positions to support the Reapportionment Commission;
- (3) Authorizing five full-time temporary positions in the Office of Elections to provide support to the Reapportionment Commission;
- (4) Inserting an appropriation of \$732,430 for fiscal year 2011, to support the functions of the Office of Elections, the Elections Commission, and the Reapportionment Commission in regards to reapportionment;
- (5) Changing the expending agency from the Reapportionment Commission to the Department of Accounting and General Services;
- (6) Changing the effective date from July 1, 2011, to upon its approval; and
- (7) Making technical, nonsubstantive 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. 838, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 838, 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



