

STAND. COM. REP. NO. 717

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 243
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 243, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify who, in the event of a natural disaster, has the authority to determine whether to postpone an election or require voters of an affected precinct to vote by absentee ballot

Specifically, the measure establishes that if a natural disaster occurs:

- (1) Prior to the day of an election, the Chief Election Officer or the county clerk in the case of county elections has the power to postpone an election or require voters to vote by absentee ballot; or
- (2) On the day of the election, the Governor has the power to postpone an election or require voters to vote by absentee ballot.

Your Committee received written comments in support of this measure from Common Cause Hawaii.

Your Committee finds that in August 2014, the Chief Election Officer delayed voting in the 2014 primary election in certain County of Hawaii precincts because of the impact of Tropical Storm

SB243 SD1 SSCR LRB 15-1894.doc



Iselle. The delay in voting resulted in litigation and raised many questions around the State regarding the Chief Election Officer's authority to delay voting. Your Committee finds that it is important to clarify who has the statutory authority to delay an election in the event of a natural disaster.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 243, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



JILL N. TOKUDA, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB243 SD1	Committee Referral: JDL, WAM	Date: 2/27/15		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam	✓			
TOTAL	11	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-size: 2em; font-family: cursive;"> </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes