

STAND. COM. REP. NO. 9

Honolulu, Hawaii

FEB 01 2019

RE: S.B. No. 216
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 216 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to require a mandatory recount of election votes when the margin of victory is equal to or less than one-half of one percent of the total number of votes cast.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Common Cause Hawaii, and ten individuals. Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that the results of recent elections highlight the need for a mandatory recount when the results of an election are very close. Your Committee further finds that a mandatory recount would promote confidence in the electoral system and potentially save time and resources of the court system. Your Committee additionally finds that mandatory recounts should be applied to all elections in which they can be of benefit.

Accordingly, your Committee has amended this measure by:



- (1) Requiring, in addition to elections for state and county offices, a mandatory recount for ballot questions that meet the threshold;
- (2) Requiring a mandatory recount of election and ballot votes when the margin of victory is equal to or less than one hundred votes or one-half of one percent of the total number of votes cast, whichever is greater;
- (3) Requiring recounts to be completed within forty-eight hours after the closing of poles on election day; and
- (4) 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 that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 216, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 216	Committee Referral: JDC, WAM	Date: 1/29/19		
<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
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
FEVELLA, Kurt			✓	
TOTAL	4	0	1	0
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