STAND. COM. REP. NO. **2943**

Honolulu, Hawaii

MAR 16 2006

RE: H.B. No. 2454

H.D. 1 S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Transportation and Government Operations, to which was referred H.B. No. 2454, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LEGISLATIVE VACANCIES,"

begs leave to report as follows:

The purpose of this measure is to clarify the laws pertaining to vacancies for the United States Senate and the Hawaii State Legislature.

Your Committee received oral testimony in support of this measure from one individual.

This measure would require the Governor, for the filling of a vacancy for the United States Senate, the state Senate, and the state House of Representatives, to select a temporary appointment from a list of five prospective appointees submitted by the same political party as the prior incumbent. The appointee must be a registered member of the same political party as the prior incumbent for at least six months immediately prior to the appointment. If the prior incumbent was not a member of any political party, the Governor would appoint a person who was not a member of any political party for at least six months prior to the appointment.

Your Committee find that this measure would promote an element of fairness in filling legislative vacancies without compromising the integrity of the election process. Political

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parties should have a voice in selecting a replacement to fill a vacancy.

Your Committee has amended this measure by reducing the number of submitted candidates from five to three, and inserting twenty days after the date the vacancy occurs as the deadline for political parties to submit their candidates to the Governor.

As affirmed by the record of votes of the members of your Committee on Transportation and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2454, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2454, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on Transportation and Government Operations,

LORRANNE R. INDUYE Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Transportation and Government Operations (Bills and Resolutions)

Measure:* HB 2454 HD 1	Committee Re	eferral: THW	Date:	3/13/6	,
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)					
Members		Ayes	Ayes(WR)	Nays	Excused
INOUYE, Lorraine R. (C)					
ESPERO, Will (VC)		/			•
BAKER, Rosalyn H.					
HEE, Clayton					
KANNO, Brian MENOR, Ron					
WHALEN, Paul				٠, ١	V
Winder, i adi					
			and remain as july, july annull, 198	·	
TOTAL		3		1	3
Recommendation: Adopted 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					

^{*}Do <u>not</u> list more than one measure per Record of Votes.