STAND. COM. REP. NO. 3150

Honolulu, Hawaii

APR 0 3 2012

RE: H.B. No. 2181

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 2181 entitled:

"A BILL FOR AN ACT RELATING TO VACANCIES,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the deadline to file nomination papers associated with the filing of a vacancy in the membership of the Board of Trustees of the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from the Office of Elections, Office of the County Clerk of the County of Maui, and Office of the County Clerk of the County of Kauai. The Office of Hawaiian Affairs submitted comments.

Your Committee finds that the State risks violating federal election laws during this year's Office of Hawaiian Affairs Board of Trustees vacancy election. The National Defense Authorization Act for Fiscal Year 2010, Public Law No. 111-84, requires mailing absentee ballots to uniformed and overseas voters no later than forty-five days prior to an election. Under existing state law, candidates for the vacancy election may file their candidacy papers up to fifty days prior to a general election. By placing the deadline for candidates to file at sixty days prior to the general election, which this measure proposes, the Office of Elections will have sufficient time within which to print and mail ballots to overseas and uniformed voters, consequently increasing the likelihood of complying with the federal election law.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2181, and recommends that it pass Third Reading.

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

CLAYTON HEE Chair

## The Senate Twenty-Sixth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral: Date:				
HB 2181	HWH/PGM, JDL >/27/12				
The committee is reconsidering its previous decision on this measure.  If so, then the previous decision was to:					
The Fecommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)		V			
GABBARD, Mike					
IHARA, Jr., Les					
SLOM, Sam					
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TOTAL		5			
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					

<sup>\*</sup>Only one measure per Record of Votes