STAND. COM. REP. NO. 2468

Honolulu, Hawaii

MAR 0 1 2012

RE: S.B. No. 2669 S.D. 1

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 S.B. No. 2669 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 for filing nomination papers for 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, the Office of Hawaiian Affairs, the Office of the County Clerk of the County of Maui, and the Office of the County Clerk of the County of Kauai.

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 a sufficient amount of time within which to print and mail ballots to overseas and uniformed voters, and will not be at risk of violating the federal election law.

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Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to ensure further discussion; and
- (2) 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 and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2669, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2669, S.D. 1.

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: /				/
58 2669	HWN.	JDL	2	-/24/	12
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:				· · · · · · · · · · · · · · · · · · ·	
Pass, unamended Pass, with amendments Hold Recommit 2312 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)		·			
SHIMABUKURO, Maile (VC)		V		. "	:
GABBARD, Mike					
IHARA, Jr., Les		V			
SLOM, Sam		V			
					
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TOTAL		4			/
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original File with Committee F	Yellow Report Clerk's Office		Pink Drafting Agency	Goldenrod Committee File Copy	

^{*}Only one measure per Record of Votes