14<u>7</u> STAND. COM. REP. NO. Honolulu, Hawaii , 2015 H.B. No. 376 RE: H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

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Your Committee on Judiciary, to which was referred H.B. No. 376 entitled:

"A BILL FOR AN ACT RELATING TO THE CHIEF ELECTION OFFICER,"

begs leave to report as follows:

The purpose of this measure is to:

- Reduce the Chief Election Officer's term of office from four years to two years;
- (2) Require a performance evaluation of the Chief Election Officer within two months of the last election; and
- (3) Require a public hearing on the performance evaluation before the appointment or reappointment of the Chief Election Officer.

Several concerned individuals testified in support of the bill. The Office of the County Clerk, County of Hawaii; Office of the County Clerk, County of Kauai; and Office of the County Clerk, County of Maui testified in opposition. The League of Women Voters of Hawaii testified in opposition and provided comments. Common Cause Hawaii provided comments.



Your Committee has amended this measure by:

- Deleting the reduction of the Chief Election Officer's term of office;
- (2) Specifying that the Chief Election Officer shall be an at-will employee;
- (3) Requiring the Elections Commission to provide written notification of removal and the reason for the removal upon the removal of the Chief Election Officer;
- (4) Requiring the Elections Commission to conduct a performance evaluation of the Chief Election Officer within two months after a general election is certified; and
- (5) Requiring the Elections Commission to conduct a public hearing on the Chief Election Officer's performance and consider information gathered to inform deliberations on the reappointment of the Chief Election Officer.

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 H.B. No. 376, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 376, H.D. 1, and be referred to the Committee on Finance.

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

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KARL RHOADS, Chair



State of Hawaii House of Representatives HSCR 192_ The Twenty-eighth Legislature

Record of Votes of the Committee on Judiciary

	Committee Referral:	Date:	1 1	
HB_376	376 JUD, FIN			
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Dess, unamended (as is) Pass, with amendments (HD) Dess, Hold				
\Box Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	×			•
2. SAN BUENAVENTURA, Joy A. (V	/C) ×			
3. BELATTI, Della Au	×			
4. BROWER, Tom	×		<u></u>	
5. CREAGAN, Richard P.	×			
6. HASHEM, Mark J.				×
7. KAWAKAMI, Derek S.K.				×
8. LEE, Chris	×			
9. MORIKAWA, Dee	×		,	
10. NAKASHIMA, Mark M.				20
11. TAKAYAMA, Gregg	X			
12. WOODSON, Justin H.	X			
13. MCDERMOTT, Bob	X			
14. THIELEN, Cynthia	×			
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TOTAL (14)][0	0	3
The recommendation is: Adopted D Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

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