

STAND. COM. REP. NO.

1283

Honolulu, Hawaii

MAR 20 2019

RE: H.B. No. 709
H.D. 1
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 H.B.
No. 709, H.D. 1, entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF
THE CONSTITUTION OF THE STATE OF HAWAII,"

begs leave to report as follows:

The purpose and intent of this measure is to propose an
amendment to the Hawaii State Constitution to allow a recount of
votes cast at an election to be conducted in a manner to be
provided by law.

Your Committee received testimony in support of this measure
from the League of Women Voters of Hawaii, Honolulu County
Republican Party, Common Cause Hawaii, and two individuals.

Your Committee finds that accurate counts of votes cast in
elections are vital to the democratic process. Your Committee
further finds that under existing law, the only way to initiate a
recount in the State is via a complaint filed with the Hawaii
Supreme Court. This measure proposes an amendment to the
constitution that will explicitly grant the Legislature the
authority to provide for recounts of votes cast in election by
law.



Your Committee has amended this measure by clarifying that recounts of votes cast at an election may be conducted as provided by the Legislature.

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. 709, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 709, H.D. 1, 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.:* HB 709 HD1 | Committee Referral: JDC, LAM | Date: 3/12/19 | | |
| <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 | 0 | 1 |
| 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