

A Bill for an Act Relating to County Chairman.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 138 of the Revised Laws of Hawaii 1955 is amended by adding a new section as follows:

“Section 138----- Special elections. If a person elected in a general election to the office of chairman of the board of supervisors of a county dies before January 2 following his election, the governor shall issue a proclamation within ten days after the occurrence of the death requiring special elections to be held to fill the vacancy so created. The proclamation shall provide that a primary election be held within sixty days after, but no sooner than forty-five days after, the occurrence of the death to nominate candidates for a general election to be held thirty days after the primary election. The governor shall issue a proclamation within ten days after the approval of this Act requiring special elections to be held if any person elected in the general election of 1966 to the office of chairman of the board of supervisors of a county died before January 2, 1967, and such proclamation shall provide that a primary election be held within sixty days after, but no sooner than forty-five days, after the approval of this Act to nominate candidates for a general election to be held thirty days after the primary election. In any case, the tenure of any holdover or temporary chairman then serving shall terminate when the successor chairman shall be so elected in a general election and qualified. If any special election is held in the county within one hundred and twenty days after, but no sooner than forty-five days, after the occurrence of the death or approval of this Act, as the case may be, then such special election shall be held in conjunction with the general election provided by this Act.

“Except as otherwise provided herein, the special elections shall conform to chapter 11, Revised Laws of Hawaii 1955, as amended, insofar as applicable.

“Each candidate shall be a qualified elector of the county in which he is a candidate for chairman. Any person who holds an elective county or state office by election, holdover or by selection by the board of supervisors of a county of the State of Hawaii, or is a department head or first deputy or first assistant to the head of any department of the state or a county government shall, within three days after filing nomination papers to be a candidate for chairman, resign from his state or county office. Failure of any such public officer to resign from his office within the time prescribed in this section shall result in the rejection of his nomination papers and forfeiture of his filing fee and his name shall not appear upon any official ballot.

“There shall be deposited with each nomination paper a fee of \$25 which shall be paid into the treasury of the respective counties. The county clerk shall provide appropriate nomination papers.

“The expenses of the special elections shall be paid by the respective counties in which they are held.”

SECTION 2. This Act shall apply to each county in the State unless a county adopts a charter which provides for succession of the office of chairman of the board of supervisors under the contingency covered by this Act.

SECTION 3. All laws in conflict and parts of laws in conflict with this Act are hereby amended to conform with the provisions of this Act.

SECTION 4. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 5. This Act shall take effect upon its approval.
(Approved May 5, 1967.)