

STAND. COM. REP. NO. 1425  
Honolulu, Hawaii

RE: H.B. No. 626  
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. 626 entitled:  
"A BILL FOR AN ACT RELATING TO VACANCIES,"

begs leave to report as follows:

The purpose and intent of this measure is to require vacancies in the offices of United States Senator, Representative in the United States House of Representatives, State Senator, and State Representative to be filled by special election.

Your Committee received testimony in support of this measure from the Honolulu County Republican Party and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that transparency in filling mid-term vacancies in legislative elected office contributes to public confidence in the legislative process. Your Committee further finds that while the existing procedure for filling vacancies in most offices is complex and comprehensive, special elections conducted by ranked choice voting could be beneficial for filling vacancies in offices with a broad range of candidates. Your Committee additionally finds that authorizing the Governor to make temporary appointments to fill vacancies in the office of United States Representative pending a special election will help to maintain seniority for members of the State's congressional delegation.

Accordingly, your Committee has amended this measure by:

(1) Removing language requiring vacancies in the offices of United States Senator, State Senator, and State Representative to be filled by special election;

(2) Requiring vacancies in the representation of the State in the United States House of Representatives to be filled by a special election utilizing ranked choice voting;

(3) Requiring the Governor to make a temporary appointment to the office of United States Representative pending the special election in the event of a vacancy; and

(4) 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 that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 626, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 626, 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,

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KARL RHOADS, Chair