

STAND. COM. REP. NO.

2986

Honolulu, Hawaii

MAR 20 2014

RE: H.B. No. 2590
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2590, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to increase voter participation by allowing late voter registration at absentee polling places and on the day of election at polling precincts. Specifically, this measure:

- (1) Beginning on January 1, 2016, permits a person who is eligible, but not registered to vote, to register to vote by appearing in person ten or more days prior to the day of the election at any absentee polling place in the county associated with the person's residence or, beginning on January 1, 2018, on the day of the election at the polling place in the precinct associated with the person's residence;
- (2) Authorizes the county clerk to designate a registration clerk, who may be an election official, at each of the absentee polling places prior to the day of the election and at each of the polling places on the day of the election to process registration applications for persons not registered to vote;



- (3) Requires a late registration voter to sign an affidavit affirming the voter's qualification to vote and submit evidence of residence that is substantiated by certain types of documents;
- (4) Allows late voter registration to be challenged in accordance with section 11-25, Hawaii Revised Statutes;
- (5) Allows late voter registration to be used by a registered voter whose name cannot be found on the precinct list for the polling place associated with the voter's residence;
- (6) Requires the county clerk to add properly registered voters to the respective general county register and to mail a notice to the registered voter within thirty days of registration, which shall serve as prima facie evidence that the person is a registered voter as of the date of registration;
- (7) Appropriates an unspecified amount out of the federal funds awarded to the State from the Help America Vote Act of 2002 for fiscal year 2014-2015, for the counties to implement late voter registration, including upgrading the registration process by purchasing electronic poll books; and
- (8) Appropriates an unspecified amount from the general fund for fiscal year 2014-2015, for the counties to implement late voter registration, including upgrading the registration process by purchasing electronic poll books.

Your Committee received testimony in support of this measure from the Office of Elections, Office of Hawaiian Affairs, Americans for Democratic Action/Hawaii, Common Cause Hawaii, League of Women Voters of Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from the Office of the City Clerk, City and County of Honolulu; and one individual. Your Committee received comments on this measure from the Office of the County Clerk, County of Maui; and Office of the County Clerk, County of Kauai.

Your Committee finds that Hawaii has the lowest voter turnout in the nation. According to Common Cause Hawaii, the existing



voter registration favors individuals who are interested in politics and are motivated to plan far in advance to register to vote. The existing law requires eligible voters to register to vote no later than thirty days prior to the day of an election. This registration deadline is seen by eligible, but unregistered voters as a hurdle to turn out and vote. Thus, this measure assists in increasing voter turnout by allowing a person to register to vote at an absentee polling place ten or more days prior to the day of election beginning in 2016 or on the day of an election at a precinct polling place beginning in 2018.

Your Committee notes the concerns raised by the county clerks that this measure will require additional funding, staff, and training, and upgrades in its computer systems to appropriately implement this measure. Your Committee believes that these concerns merit further discussion by your Committee on Ways and Means.

Your Committee has amended this measure by adopting the language suggested by the Office of Elections to:

- (1) Require a late registration voter to submit evidence of proof of identity, rather than residence, that is substantiated by certain types of documents;
- (2) Delete the appropriation from the federal funds awarded to the State from the Help America Vote Act of 2002 for fiscal year 2014-2015 for the counties to implement late voter registration; and
- (3) Delete the repeal and reenactment of section 15-7, Hawaii Revised Statutes, to continue to allow late voter registration at absentee polling places prior to the day of election after December 31, 2017.

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 H.B. No. 2590, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2590, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,

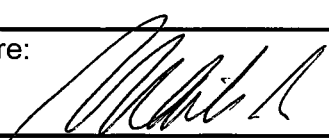


CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 2590, HD1	Committee Referral: JDL, WAM	Date: 3/14/14		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike				✓
GALUTERIA, Brickwood	✓			
IHARA, Jr., Les	✓			
SOLOMON, Malama				✓
SLOM, Sam		✓		
TOTAL	4	1		2
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