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Honolulu, Hawaii

February 20, 2015

RE: H.B. No. 124
H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 124 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this measure is to require the Office of Elections to implement elections by mail beginning with a primary election in a year to be specified and thereafter, in all federal, state, and county elections. This measure sets the minimum number of voter service centers per county and island and specifies the services to be provided the voters at those centers.

The Office of Hawaiian Affairs testified in support of the measure. The Office of Elections, Common Cause Hawaii, and League of Women Voters of Hawaii testified in support and provided comments and recommendations. Office of the County Clerk, County of Kauai; Office of the County Clerk, County of Maui provided comments and recommendations. A concerned individual testified in opposition.

Your Committee has amended this measure to:

- (1) Require an all-mail election in only one county for the 2016 election and adopt an Office of Elections' recommendation that the all-mail election start with Kauai County in 2016;



- (2) Adopt the Office of Elections' recommendation to update the current vote-by-mail statute including the allocation of election expenses between the State and counties, but require Office of Elections to be responsible in all elections for mailing, processing, and tabulating the ballots to avoid duplication of costs;
- (3) Clarify definitions and usage of terms, including, "voter service center," "polling place," "precinct," and "absentee polling place;"
- (4) Insert language to prohibit premature disclosure of results while allowing returned ballots to be counted in advance of election day;
- (5) Allow the Office of Elections and the individual counties to determine the appropriate number of voter service centers, and delete the minimum number of centers in the bill;
- (6) Adopt the Office of Elections' recommendation to allow electronic transmission of ballots in instances where the voter did not receive the ballot by mail;
- (7) Allow voter service centers to be open on election day;
- (8) Require the Office of Elections to submit an annual report specific to the all-mail voting system for the next four years; and
- (9) Make technical, nonsubstantive amendments for clarity, consistency, and style.

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. 124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 124, H.D. 1, and be referred to the Committee on Finance.



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



KARL RHOADS, Chair



