

Honolulu, Hawaii

FEB 03 2016

RE: S.B. No. 2117
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2117 entitled:

"A BILL FOR AN ACT RELATING TO ABSENTEE BALLOTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize a permanent absentee voter to request and receive a ballot at an alternate address for elections within an election cycle; provided that the request does not serve as a cancellation of the voter's permanent absentee status or as a change to the voter's permanent absentee mailing address;
- (2) Clarify that certain conditions that normally lead to a termination of permanent absentee voter status do not apply if the voter resides in an absentee ballot only area;
- (3) Replace references to facsimile ballots with references to electronic ballots; and
- (4) Authorize a voter to receive a permanent absentee ballot by electronic transmission if the voter has not received the ballot within five days of an election, requires a replacement ballot within five days of an election, or would otherwise not be able to return a properly issued ballot by the close of polls.



Your Committee received testimony in support of this measure from the Office of Elections; Office of the City Clerk, City and County of Honolulu; Office of the County Clerk, County of Maui; Office of the County Clerk, County of Kauai; League of Women Voters; and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that as the number of permanent absentee mail voters rises, so does the potential need to send a ballot to an alternate address or replace a voter's ballot for various reasons including but not limited to spoilage and postal non-delivery. While voters that are covered under the Uniform Military and Overseas Voters Act may receive a replacement ballot by facsimile transmission or electronic mail delivery, all other absentee mail voters are limited to receiving a replacement ballot by postal mail. Authorizing voters to receive a permanent absentee ballot by electronic transmission, under certain conditions, will benefit voters who, due to a variety of circumstances, are unable to receive and return a ballot by mail by the closing of polls. Implementation of this measure provides a practical and expeditious means for absentee mail voters to cast a ballot and is consistent with efforts to maximize voter participation.

Your Committee has amended this measure by 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 and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2117, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2117, 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 and
Labor,



GILBERT S.C. KEITH-AGARAN, Chair



