STAND. COM. REP. NO. 3037

Honolulu, Hawaii

MAR 2 2 2006

H.B. No. 2539 RF:

> H.D. 1 S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Intergovernmental Affairs, to which was referred H.B. No. 2539, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTION,"

begs leave to report as follows:

The purpose of this measure is to direct the Judiciary to notify the clerk of the county in which an adult citizen is located within twenty days after the citizen has been convicted of any felony and sentenced to prison, or adjudged legally incompetent, and to remove outdated references in the provision on the loss of voting rights for felons sentenced to imprisonment.

The State Office of Elections, the Elections Office of the City Clerk of the City and County of Honolulu, the County of Hawaii Office of the County Clerk, and the Maui County Office of the County Clerk submitted testimony in support of this measure.

Pursuant to current state law, an individual's voting rights are lost upon incarceration for a felony offense. According to the Elections Office of the City Clerk of the City and County of Honolulu, election offices need at least two or three pieces of identifying information to properly identify a disqualified voter for removal from the voter rolls. The testifiers indicated that the court certificates do not always provide sufficient identifying information. The testifiers all indicated that the phrase "readily ascertainable" should apply only to the citizen's residence address or last known residence address.

2006-2105 SSCR SMA.doc  Your Committee finds that it is important to standardize the information provided by the Judiciary and the Paroling Authority to county clerks to ensure the legitimacy of the voter rolls.

Upon further consideration, your Committee amended this measure by:

- (1) Incorporating the provisions of S.B. No. 2430, S.D. 2 that:
  - (A) Add a new section to chapter 353 that requires that whenever the paroling authority grants or revokes parole for any citizen of eighteen years of age or older, the paroling authority shall transmit a certificate within twenty days to the clerk of the county in which the citizen resides showing the fact of the granting or revoking of parole, and including certain identifiable information; and
  - (B) Retain the current requirement that the reports to the county clerk by any circuit court, family court, or district court be made by certificate; and
- (2) Including a findings and purpose section;
- (3) Applying the phrase "readily ascertainable" only to the citizen's residence address or last known residence address;
- (4) Making the measure effective upon approval; and
- (5) Making technical, non-substantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intergovernmental Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2539, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2539, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

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Respectfully submitted on behalf of the members of the Committee on Intergovernmental Affairs,

DAVID Y. KGE Chair

## The Senate Twenty-Third Legislature State of Hawaii

## Record of Votes of the Committee on Intergovernmental Affairs (Bills and Resolutions)

Measure:*	Committee Re	terral:	Date:	/21/2	
HB 2539 HD1	IGA, JHW	•	3	121 /2	-006
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is to:					
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)					
Members		Ayes	Ayes(WR)	Nays	Excused
IGE, David Y. (C)					
KIM, Donna Mercado (VC)		<u> </u>			
BAKER, Rosalyn H.		<b>V</b>			
ENGLISH, J. Kalani					<b>V</b>
INOUYE, Lorraine R.	· annianonados e e e e e e e e e e e e e e e e e e e				<b></b>
NISHIHARA, Clarence K.		V			
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TOTAL		5			2_
Recommendation:					
Adopted 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					

<sup>\*</sup>Do <u>not</u> list more than one measure per Record of Votes.