

JAN 19 2007

A BILL FOR AN ACT

RELATING TO VOTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the citizens of
2 Hawaii do not have an absolute constitutional right to vote.
3 The state constitution allows a citizen to vote if that citizen
4 is a voter registered as provided by law. In the United States,
5 voting is a privilege granted to citizens through the enactment
6 of laws.

7 The legislature further finds that citizens have an
8 inherent right to vote as part of their responsibility as
9 citizens of the State and this right should not be hindered
10 without just cause. The right to vote is necessary to enable
11 citizens to govern through a representative form of government.
12 Therefore, the legislature finds that barriers to the exercise
13 of this right should be removed and citizens should be
14 encouraged to exercise this right. One of the barriers to
15 voting is the thirty-day voter registration requirement. Voter-
16 friendly initiatives, such as same-day voter registration,
17 should be implemented. Same-day voter registration permits



1 eligible voters to register on primary and general election days
2 and vote.

3 Same-day voter registration has been adopted in at least
4 six states, including Idaho, Maine, Minnesota, New Hampshire,
5 Wisconsin, and Wyoming. Analysis of same-day voter registration
6 program data indicates that:

- 7 (1) The six states with same-day voter registration
8 procedures consistently lead the nation in voter
9 turnout. In 2004, an average of seventy-four per cent
10 of eligible voters turned out to vote in states with
11 same-day voter registration compared to sixty per cent
12 in states without same-day voter registration; and
- 13 (2) In Minnesota, seventy-seven per cent of eligible
14 voters voted in the 2004 presidential election.
15 Wisconsin and Maine, which also have same-day voter
16 registration programs, finished second and third,
17 respectively, in voter turnout.

18 A 2000 survey among non-voters ranked same-day voter
19 registration as the most popular voter reform that would make
20 voters more likely to vote.



1 The purpose of this Act is to allow same-day voter
2 registration on the date of an election and to change the voter
3 registration cut-off date to fifteen days prior to an election.

4 SECTION 2. Chapter 11, Hawaii Revised Statutes, is amended
5 by adding a new section to be appropriately designated and to
6 read as follows:

7 "§11- Same-day voter registration. (a) Notwithstanding
8 any law to the contrary, an individual who is eligible to vote
9 may register on election day by:

- 10 (1) Appearing in person at the polling place for the
11 precinct in which the voter maintains a residency;
12 (2) Completing a voter registration application;
13 (3) Making an oath on a form prescribed by the chief
14 election officer; and
15 (4) Providing proof of residency.

16 (b) An individual may prove residency for purposes of this
17 section by presenting:

- 18 (1) A valid Hawaii driver's license or state
19 identification card; or
20 (2) Any documentation approved by the chief election
21 officer.



1 (c) No precinct official shall receive the vote of any
2 individual who is not registered pursuant to subsection (a) or
3 section 11-15.

4 (d) The chief election officer or a designee of the chief
5 election officer shall maintain a record of the number of
6 individuals who attempted to register on election day, but who
7 were unable to provide proof of residency pursuant to subsection
8 (b). The record shall be included with the election returns for
9 each precinct.

10 (e) The chief election officer shall establish rules and
11 procedures pursuant to chapter 91, as necessary to carry out
12 this section."

13 SECTION 3. Section 11-24, Hawaii Revised Statutes, is
14 amended by amending subsections (a) and (b) to read as follows:

15 "(a) At 4:30 p.m. on the [~~thirtieth~~] fifteenth day prior
16 to each primary, special primary, or special election (but if
17 the day is a Saturday, Sunday, or holiday then at 4:30 p.m. on
18 the first working day immediately thereafter), the general
19 county register shall be closed to registration for persons
20 seeking to vote at the primary, special primary, or special
21 election and remain closed to registration until after the



1 election, subject to change only as provided in sections 11-
2 21(c), 11-22, 11-25, 11-26, 11-___, and this section.

3 (b) Notwithstanding the closing of the register for
4 registration to vote at the primary or special primary election,
5 the register shall remain open for the registration of persons
6 seeking to vote at the general or special general election,
7 until 4:30 p.m. on the [~~thirtieth~~] fifteenth day prior to the
8 general or special general election (but if the day is a
9 Saturday, Sunday, or holiday then at 4:30 p.m. on the first
10 working day immediately thereafter), at the end of which period
11 the general county register shall be closed to registration and
12 remain closed until after the general or special general
13 election next following, subject to change only as provided in
14 sections 11-21(c), 11-22, 11-25, [~~and~~] 11-26[~~-~~], and 11-___."

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Voter Registration; Same-day Registration

Description:

Allows same-day voter registration; reduces the closing date for voter registration from thirty days to fifteen days.

