

JAN 23 2009

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.

15 One of the barriers to voting is the thirty-day voter
16 registration requirement. Voter-friendly initiatives, such as
17 election-day voter registration, should be implemented.



1 Election-day voter registration permits eligible voters to
2 register on primary and general election days and vote.

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

7 (1) The six states with election-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 election-day voter registration compared to sixty per
12 cent in states without election-day voter
13 registration; and

14 (2) In Minnesota, seventy-seven per cent of eligible
15 voters voted in the 2004 presidential election.
16 Wisconsin and Maine, which also have election-day
17 voter registration programs, finished second and
18 third, respectively, in voter turnout.

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



1 The purpose of this Act is to allow election-day voters to
2 register on the day of an election.

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

6 "§11- Election-day voter registration. (a)

7 Notwithstanding any law to the contrary, an individual who is
8 eligible to vote may register on the day of an election by:

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

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

- 17 (1) A valid Hawaii driver's license or Hawaii state
18 identification card; or
19 (2) Any documentation approved by the chief election
20 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
11 pursuant to chapter 91, as necessary to carry out this section."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Rosely de Paal
Marianne Chun Aulland



Report Title:

Voter Registration; Election Day Registration

Description:

Allows election-day voter registration.

