H.B. NO. 1476

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.

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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.

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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.

14

INTRODUCED BY: _____

JAN 2 7 2009

Report Title:
Voter Registration; Election Day Registration

Description:
Allows election-day voter registration.