
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Chapter 338, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§338- Death certificate compilation; removal of
5 deceased as registered voter. (a) No later than November 10
6 each year, the director shall compile a list of all residents
7 eighteen years or older for whom a death certificate has been
8 issued in the preceding twelve months. The list shall include
9 the name, date of birth, and last known residence of each
10 deceased. Within ten days of compilation, the list shall be
11 submitted to the county clerk of the respective counties to be
12 used to identify and remove the name of any registered voter
13 from the general county register under section 11-23.

14 (b) This section shall not prohibit any county clerk from
15 requesting from the department any information affecting a
16 voter's status, as provided in section 11-20(a)(3)."

17 SECTION 2. Chapter 11-2, Hawaii Revised Statutes, is
18 amended by amending subsection (d) to read as follows:



1 "(d) The chief election officer shall be responsible for
2 public education with respect to voter registration and
3 information[~~-~~] and shall publish a voter's election guide that
4 shall be mailed to all registered voters no less than fourteen
5 days before each primary and general election."

6 SECTION 3. Section 11-16, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) Any qualified person unable for any cause to be
9 present [~~oneself~~] in person before the clerk for registration
10 may register to vote by mail, not later than thirty days prior
11 to a primary or general election, through the affidavit on
12 application for voter registration or other form prescribed by
13 the chief election officer. The form shall include a self-
14 subscribing oath for the applicant to swear to the truth of the
15 allegations in the application[~~-~~] and shall not require postage
16 if an applicant submits the form to the clerk by the United
17 States Postal Service. An applicant unable to write for reason
18 of illiteracy, blindness, or other physical disability shall
19 have the applicant's mark witnessed by a person who shall sign
20 the affidavit in the space provided. Application forms shall be
21 made available to any qualified person through community groups,
22 political parties, and other groups prescribed by the chief



1 election officer. Application forms shall be made available to
2 any qualified person at the time of that person's driver's
3 license application or renewal through the examiner of drivers."

4 SECTION 4. Section 11-76, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) Electronic ballot and voting machine elections.
7 Precinct officials and related election day nonprofit groups or
8 employees shall be compensated pursuant to a schedule
9 established by the chief election officer. The schedule shall
10 be contained in rules adopted pursuant to chapter 91. The chief
11 election officer shall review the compensation schedule no later
12 than June 30 each year and shall make revisions as necessary to
13 reflect cost of living increases."

14 SECTION 5. Section 11-77, Hawaii Revised Statutes is
15 amended by amending subsection (a) as follows:

16 "(a) Each qualified political party shall be entitled to
17 appoint no more than one watcher who may be present at any time
18 in each precinct and absentee polling place in which the
19 candidates of that political party are on the ballot. Each
20 party shall submit its list of watchers not later than 4:30 p.m.
21 on the tenth day prior to any election to the chief election
22 officer or to the clerk in county elections. All watchers shall



1 serve without expense to the State or county. All watchers so
2 appointed shall be registered voters. No person shall serve as
3 a watcher unless that person has received instruction and has
4 been certified by an authorized instructor. No person shall
5 serve as a watcher who could not qualify to serve as a precinct
6 official under section [+]11-72(b)(3)[+]."

7 SECTION 6. Section 11-131, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§11-131 Hours of voting.** The polls shall be opened by
10 the precinct officials at 7:00 a.m. of the election day and
11 shall be kept open continuously until 6:00 p.m. of that day[-];
12 provided that hours of voting in absentee polling places shall
13 be as provided in section 15-7. If, at the closing hour of
14 voting, any voter desiring to vote is standing in line outside
15 the entrance of the polls with the desire of entering and
16 voting, but due to the polling place being overcrowded has been
17 unable to do so, the voter shall be allowed to vote irrespective
18 of the closing hour of voting. No voter shall be permitted to
19 enter or join the line after the prescribed hour for closing the
20 polls. If all of the registered voters of the precinct have
21 cast their votes prior to the closing time, the polls may be



1 closed earlier, but the votes shall not be counted until after
2 closing time unless allowed by the chief election officer."

3 SECTION 7. Section 15-7, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§15-7 Absentee polling place[-]; hours of voting.** (a)

6 Absentee polling places shall be established at the office of
7 the respective clerks[-] and may be established at such other
8 sites as may be designated by the clerk under the provisions
9 prescribed in the rules adopted by the chief election officer.
10 Section 11-21 relating to changes and transfers of registration
11 shall apply to the absentee polling place as though it were the
12 precinct at which a person's name properly appears on the list
13 of registered voters.

14 (b) The absentee polling places shall be open no later
15 than ten working days before election day, and all Saturdays
16 falling within that time period, or as soon thereafter as
17 ballots are available; provided that all absentee polling places
18 shall be open on the same date statewide, as determined by the
19 chief election officer.

20 (c) On each day that absentee polling places are open
21 before election day, the absentee polling places shall be opened
22 at 7:00 a.m. and shall be kept open continuously until 7:00 p.m.



1 of each day. If, at the closing hour of voting on the last day
2 that absentee polling places are open, any absentee voter
3 desiring to vote is standing in line outside the entrance of an
4 absentee polling place with the desire of entering and voting,
5 but due to the absentee polling place being overcrowded has been
6 unable to do so, the absentee voter shall be allowed to vote
7 absentee irrespective of the closing hour of the absentee
8 polling place. No absentee voter shall be permitted to enter or
9 join the line after the prescribed hour for closing the absentee
10 polling places."

11 SECTION 8. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 9. This Act shall take effect upon its approval.

14

INTRODUCED BY:

Andy Evans
JAN 21 2009



Report Title:

Elections

Description:

Requires department of health to send annual list of death certificates to county clerks to assist in removing names from voter registration lists. Requires chief election officer to review compensation for election officials annually. Mandates training and certification for political party watchers. Clarifies voting hours in absentee polling places.

