



GOV. MSG. NO. 1341

July 12, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

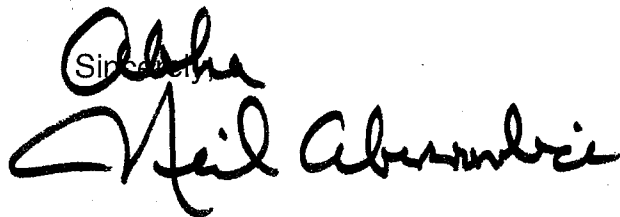
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

I am transmitting herewith HB545 HD1 SD1 CD1, without my approval, and with the statement of objections relating to the measure.

HB545 HD1 SD1 CD1

RELATING TO VOTER REGISTRATION

The image shows a handwritten signature in black ink. The signature is written in a cursive style and appears to read 'Neil Abercrombie'. There is a small, faint word 'Signed' visible above the signature.

NEIL ABERCROMBIE
Governor, State of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 12, 2011

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 545

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 545, entitled "A Bill for an Act Relating to Voter Registration."

The purpose of this bill is to require the Chief Elections Officer to create and implement an electronic voter registration system by January 1, 2014 and to maintain the system thereafter. The bill also requires the Chief Elections Officer to employ measures to ensure the security, accuracy and integrity of the information that is electronically submitted. The Attorney General, counties, and the Office of Elections are required to modify their computer systems to verify the information in the online voter registration system and to obtain an electronic copy of each applicant's signature. The estimated cost of implementation is \$2.5 million and no funding was provided in the bill.

While the goal of this bill is laudable, it creates an unfunded mandate at a time when fiscal resources are scarce, and agencies are fighting to meet their existing responsibilities.

For the foregoing reasons, I am returning House Bill No. 545 without my approval.

Respectfully,



NEIL ABERCROMBIE
Governor of Hawaii

A BILL FOR AN ACT

RELATING TO VOTER REGISTRATION.

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

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to part II to be appropriately
3 designated and to read as follows:

4 "§11- Online voter registration. (a) No later than
5 January 1, 2014, the chief election officer shall create,
6 implement, and maintain an electronic system for voter
7 registration that is publicly available on the website of the
8 office of elections.

9 (b) Notwithstanding any other provision of law to the
10 contrary, a person who is qualified to register to vote and who
11 has a valid Hawaii driver's license or certificate of
12 identification may submit an affidavit for voter registration
13 electronically on the website of the office of elections.

14 (c) The chief election officer shall require a person who
15 submits an affidavit pursuant to this section to include:

16 (1) The number from the applicant's Hawaii driver's
17 license or certificate of identification;

18 (2) The applicant's date of birth;



- 1 (3) The last four digits of the applicant's social
2 security number;
- 3 (4) The applicant's residence, including mailing address;
- 4 (5) A statement that the applicant's residence was
5 acquired with the intent to make Hawaii the person's
6 legal residence with its accompanying obligations;
- 7 (6) A statement that the applicant is a citizen; and
- 8 (7) Any other information the chief election officer deems
9 necessary to establish the identity of the applicant.
- 10 (d) The applicant shall affirmatively attest to the truth
11 of the information provided in the affidavit and affirmatively
12 assent to the use of the applicant's signature from the
13 applicant's driver's license or certificate of identification.
- 14 (e) For each electronic affidavit, the chief election
15 officer shall obtain an electronic copy of the applicant's
16 signature from the:
- 17 (1) Appropriate examiner of drivers, if the applicant
18 provides a Hawaii driver's license number; or
- 19 (2) Attorney general, if the applicant provides a
20 certificate of identification number.



1 (f) Upon submission of an electronic affidavit, the
2 electronic voter registration system shall provide for immediate
3 verification that the:

4 (1) Applicant has a Hawaii driver's license or certificate
5 of identification;

6 (2) Number for the Hawaii driver's license or certificate
7 of identification provided by the applicant matches
8 the number on file with the examiner of drivers or
9 attorney general, as the case may be; and

10 (3) Date of birth provided by the applicant matches the
11 date of birth for that person that is on file with the
12 examiner of drivers or attorney general, as the case
13 may be.

14 (g) Upon verification of all information, in accordance
15 with subsection (f), the electronic voter registration system
16 shall provide immediate acknowledgement of receipt of the
17 affidavit and information concerning the disposition shall be
18 made available to the applicant.

19 Disposition letters shall be provided to the applicant by
20 regular mail and by electronic mail if an electronic mail
21 address is provided by the applicant.



1 (h) Upon receiving all information from an applicant and
2 verifying that information in accordance with subsection (f),
3 the chief election officer shall send the information to the
4 appropriate county clerk for further action as required by this
5 chapter.

6 (i) The chief election officer shall employ security
7 measures to ensure the accuracy and integrity of voter
8 registration affidavits submitted electronically pursuant to
9 this section.

10 (j) The chief election officer may adopt rules pursuant to
11 chapter 91 to implement this section."

12 SECTION 2. Section 11-15, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) Any person qualified to and desiring to register as a
15 voter in any county shall make and subscribe to an application
16 in the form of an affidavit[-] pursuant to this section or
17 section 11- .

18 The affidavit required to register to vote pursuant to this
19 section shall contain the following information:

- 20 (1) Name;
- 21 (2) Social security number;
- 22 (3) Date of birth;



- 1 (4) Residence, including mailing address;
- 2 (5) That the residence stated in the affidavit is not
- 3 simply because of the person's presence in the State,
- 4 but that the residence was acquired with the intent to
- 5 make Hawaii the person's legal residence with all the
- 6 accompanying obligations therein; and
- 7 (6) That the person is a citizen."

8 SECTION 3. The department of the attorney general,

9 examiner of drivers for each county, county clerks, and office

10 of elections shall cooperate to modify their respective

11 applicable computer systems, develop and implement new computer

12 software, or otherwise develop a method by which the office of

13 elections may immediately or within the time period specified in

14 section 1 of this Act verify the information in the voter

15 registration affidavits described in section 1 of this Act and

16 may obtain an electronic copy of each applicant's signature. No

17 state or county agency shall charge the office of elections any

18 fees or costs related to compliance with this section.

19 SECTION 4. Statutory material to be repealed is bracketed

20 and stricken. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2011.

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