
HOUSE CONCURRENT RESOLUTION

REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE THE DIFFERENT TYPES OF CLOSED PRIMARIES CONDUCTED BY OTHER STATES AND THE CORRESPONDING EFFECT ON VOTER TURNOUT.

1 WHEREAS, the various states are free to conduct primary
2 elections however the respective state deems appropriate, as
3 long as individuals' constitutional rights are protected; and
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5 WHEREAS, Hawaii conducts open primaries where a voter may
6 choose which primary to vote in without being required to
7 register with a political party; and
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9 WHEREAS, in *California Democratic Party v. Jones*, 530 U.S.
10 567 (2000), the United States Supreme Court ruled that a
11 political party has a right, guaranteed by the First Amendment
12 of the United States Constitution, to limit participation in its
13 primary elections to persons who are members of that political
14 party; and
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16 WHEREAS, currently, eleven states conduct closed primary
17 elections that require a voter to be a registered member of the
18 political party holding the primary; and
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20 WHEREAS, the State has a compelling interest in increasing
21 voter participation in primary elections to ensure a
22 representative form of government; and
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24 WHEREAS, it is unclear whether open or closed primary
25 elections result in a higher voter turnout in those
26 jurisdictions; now, therefore,
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28 BE IT RESOLVED by the House of Representatives of the
29 Twenty-sixth Legislature of the State of Hawaii, Regular Session
30 of 2011, the Senate concurring, that the Legislative Reference



1 Bureau is requested to conduct a study to determine the types of
2 closed primary elections conducted by other states and the
3 corresponding effect, if any, on voter turnout in those
4 jurisdictions; and
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6 BE IT FURTHER RESOLVED that the Legislative Reference
7 Bureau is requested to report its findings to the Legislature no
8 later than twenty days prior to the Regular Session of 2012; and
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10 BE IT FURTHER RESOLVED that certified copies of this
11 Concurrent Resolution be transmitted to the Acting Director of
12 the Legislative Reference Bureau, the President of the Senate,
13 and the Speaker of the House of Representatives of the
14 Legislature of the State of Hawaii.
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OFFERED BY:

~~Keith Agana~~

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