

STAND. COM. REP. NO.

2886

Honolulu, Hawaii

MAR 21 2012

RE: H.B. No. 1754
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1754, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the
mailing of absentee ballots to all registered voters residing in
population areas of fewer than five hundred voters in lieu of
operating polling places for voters in those areas.

Your Committee received testimony in support of this measure
from the Office of Elections, Office of the County Clerk of the
County of Kauai, and Office of the County Clerk of the County of
Maui.

Your Committee finds that in a normal reapportionment year,
attempts are made to line up boundaries to avoid areas being
unnecessarily divided on the basis of county council, state
representative, state senator, and congressional district lines,
and to avoid small population pockets that require the development
of their own unique ballot types. A ballot type contains the
specific contest, questions, or issues that voters who reside in
that specific area are entitled to vote on.

However, due to the invalidation of the 2011 legislative
reapportionment plan, the Reapportionment Commission has a limited
amount of time to redraft the plan. As such, the boundary lines

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may not line up with each other so as to avoid small population pockets. Given the small number of voters in each of these potential population pockets and the financial resources and personnel required to establish and operate a polling place for these populations, this measure allows the county clerk to mail an absentee ballot to each registered voter who resides in a population pocket of fewer than five hundred voters in lieu of operating a polling place for voters in those areas.

Your Committee has amended this measure by:

- (1) Changing the effective date from January 7, 2059, to upon approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1754, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1754, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



