



**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
www.hawaii.gov/elections

SCOTT T. NAGO
CHIEF ELECTION OFFICER

**TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON TRANSPORTATION
ON HOUSE BILL NO. 48
RELATING TO ELECTIONS**

January 31, 2011

Chair Souki and members of the House Committee on Transportation, thank you for the opportunity to testify on House Bill No. 48 relating to automatic voter registration.

Since 1992, the individuals applying for or renewing a driver's license, are provided an opportunity to register to vote. House Bill 48 proposes to automatically register to vote these applicants and those applying for state identification.

The immediate impact we anticipate is a decrease in voter turnout percentage. This is a result of adding to the voter register individuals who have not made a conscious decision to participate the electoral process.

Second, we anticipate that the various county clerks would have to develop, along with the departments of motor vehicle and state ID offices, procedures and gather resources to accommodate the broadened scope of their respective programs. We defer to these agencies on what may be necessary to effectuate the provisions of this bill.

Thank you for the opportunity to testify.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SIXTH LEGISLATURE, 2011**

ON THE FOLLOWING MEASURE:

H.B. NO. 48, RELATING TO ELECTIONS.

BEFORE THE:

HOUSE COMMITTEE ON TRANSPORTATION

DATE: Monday, January 31, 2011 **TIME:** 8:30 a.m.

LOCATION: State Capitol, Room 309

TESTIFIER(S): WRITTEN COMMENTS ONLY. For more information, call Robyn B. Chun, Deputy Attorney General (586-0618)

Chair Souki and Members of the Committee:

The Attorney General opposes this bill.

The National Voter Registration Act (42 U.S.C.1973gg-1 et seq.) requires states to establish procedures that allow individuals to register to vote "simultaneously" with an application for a driver's license. To comply with the federal law, Hawaii's driver's license application form includes a section to be completed if the driver's license applicant wants to register to vote. In this way, voter registration occurs simultaneously with a driver's license application if the applicant wants to register to vote.

House Bill No. 48 provides that all applicants for a Hawaii State driver's license and all applicants for a state identification card, if qualified, shall be registered to vote. Unlike the current procedure that allows an individual to choose to register to vote by completing an additional section on the driver's license application form, under this bill, if the applicant is qualified, voter registration would occur automatically. This bill does not allow an individual to opt out or choose not to register to vote if they have no interest in voting or would prefer not to be a registered voter.

In addition, this bill is unclear as to whether applicants would be registering to vote in federal elections or state elections or both.

Further, to the extent that this bill requires that all applicants for state identification cards, if determined to be qualified, be automatically registered to vote, this measure

will impact the State ID program by adding more responsibilities on existing staff. Currently, because of recent personnel cutbacks, staff is working beyond normal hours to finish processing State ID applicants who are in line. As a result, resources are simply not available to take on added responsibilities. As an alternative, the State ID office could make voter registration forms available to applicants and forward the completed forms to the appropriate county clerk.

We respectfully ask that the Committee hold this bill.

DEPARTMENT OF CUSTOMER SERVICES
CITY & COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
ADMINISTRATION
P.O. BOX 30300
HONOLULU, HAWAII 96820-0300

PETER B. CARLISLE
MAYOR



GAIL Y. HARAGUCHI
DIRECTOR

DENNIS A. KAMIMURA
LICENSING ADMINISTRATOR

January 27, 2011

The Honorable Joseph M. Souki, Chair
and Committee Members
Committee on Transportation
House of Representatives
State of Hawaii
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Souki and Committee Members:

Subject: H.B. No. 48, Relating to Elections

The City and County of Honolulu believes that H.B. No. 48 is not necessary unless it is the intent of the legislature to mandate voter registration as a condition of obtaining a driver license.

The Affidavit on Application For Voter Registration is currently a component part of the current driver license application form. When completed by the applicant for a driver's license, the form is sent to the County Clerk's office for processing.

The City and County of Honolulu urges that H.B. No. 48 be held.

Sincerely,

A handwritten signature in black ink, appearing to read "Gail Y. Haraguchi".

Handwritten initials "GJ" in black ink.

Gail Y. Haraguchi
Director



OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 S. HIGH STREET, ROOM 708
WAILUKU, MAUI, HAWAII 96793
www.maulcountv.eov/countv/clerk

TESTIMONY OF

JEFFREY T. KUWADA, COUNTY CLERK, COUNTY OF MAUI

TO THE HOUSE COMMITTEE ON TRANSPORTATION

ON HOUSE BILL NO. 48

RELATING TO ELECTIONS

January 31, 2011

Chair Souki and Members of the House Committee on Transportation, thank you for the opportunity to testify on House Bill No. 48 relating to automatic voter registration. House Bill No. 48 proposes that all eligible persons who apply for a driver license or State identification card be automatically registered to vote.

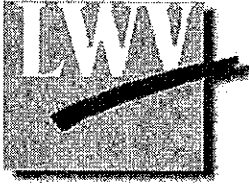
The Office of the County Clerk, County of Maui ("Clerk's Office"), respectfully questions the need to automatically register to vote those individuals who may have no intention to vote.

Presently, current law provides all individuals the opportunity to register to vote at the time of driver license renewal. In addition, the availability of the Affidavit on Application for Voter Registration ("voter registration application") is widespread. For example, it is available in Hawaiian Telcom phone directories, State Department of Taxation tax booklets, in the State Office of Elections and its website, all City/County Clerk offices and websites, all United States Post Offices in the State, and pursuant to Haw. Rev. Stat. § 11-15.5, all State agencies that deal with the public. Furthermore, through its outreach programs, the Clerk's Office has always strived to make voter registration more convenient and accessible to eligible citizens residing in Maui County.

In 2009-2010, the Clerk's Office processed 72,630 declination forms (for individuals who declined to register to vote) and 9,066 voter registrations applications received from the Motor Vehicle Licensing and Registration Division of the County of Maui ("MVLRL"), a total of 81,696 records. Over the same period, the Clerk's Office processed an additional 9,020, voter registration applications mailed in or delivered to the Clerk's Office.

Currently, there exist no administrative procedures between the Clerk's Office, MVLRL, and the State (relative to the issuance of State identification) to facilitate the anticipated exchange of information. I anticipate that the requirements of House Bill No. 48 will further stretch the human resources of the Clerk's Office during a period of fiscal austerity.

Thank you for the opportunity to testify.



THE LEAGUE OF WOMEN VOTERS OF HAWAII

TESTIMONY ON HB 48 RELATING TO ELECTIONS

Committee on Transportation
Monday, January 31, 2011
8:30 a.m.
Conference Room 309

Testifier, Jean Aoki

Chair Rep. Souki, Vice Chair Rep. Linda Ichiyama, members of TRN,

The League of Women Voters of Hawaii supports the intent of HB 48 which is to encourage voter participation in the electoral process by introducing features of automatic registration whenever people apply for or renews drivers' licenses or provisional licenses, instructional permits or state identification cards. As a first step toward voting, registration of voters is all important.

While we strongly feel that it is the responsibility of all citizens to be part of the democratic process of selecting the leaders who will be enacting the laws of our land that will be affecting our lives and the health of our state, we are not sure if the language which demands mandatory registration, eg. in Chapter 286-A Voter Registration (b) Every qualified applicant identified in subsection (a) shall be required to authorize the examiner of drivers to collect and transmit the necessary personal information required for registering the qualified applicant with the county clerk, would not be intruding on a person's right not to be registered if he/she so chooses.

And as admirable as it is to expand the voter base, the attempt reaches only a certain segment of the population. If all of this is legal and not an infringement on a person's right to make his own decision, we would want other groups of people included. How about those who apply for food stamps and other forms of help from government. We would ask that those citizens be included.

Thank you for hearing HB 48 and allowing us to comment on it.

ASSOCIATION OF HAWAIIAN CIVIC CLUBS

TESTIMONY IN SUPPORT OF HOUSE BILL 48

RELATING TO ELECTIONS

BEFORE THE COMMITTEE ON TRANSPORTATION

JANUARY 31, 2011; RM. 309; 8:30 a.m.

Aloha Chairman Souki, vice chair Ichiyama and members of the committee on Transportation. The Association of Hawaiian Civic Clubs supports House Bill 48 as a simple and innovative way of getting Hawaii's citizens to register to vote. Implementation of this bill will require cooperation and coordination between state and federal agencies to a larger degree than it is now, but the end result would be worth it if being pre-registered is an incentive to vote.

The Association of Hawaiian Civic Clubs has long supported participation in the election process and in particular the voting process. We have campaigned vigorously most recently in the No Vote No Grumble effort in cooperation with other organizations.

We see this as a step in the right direction and are confident that adequate safe guards will be in place to prevent tampering with the voting process. Voting by mail served to remove barriers to voting. House bill 48 will serve to remove barriers to registration.

Thank you for the opportunity to present testimony. We urge the passage of this measure.

Contact: Government Relations chair Jalna Keala
jalna.keala2@hawaiiantel.net



LATE TESTIMONY

P.O. Box 22703 • Honolulu, Hawaii 96823 • (808) 275-6275
Web: www.commoncausehawaii.org • Email: info@commoncausehawaii.org

**House TRN Committee
Chair Joseph Souki, Vice Chair Linda Ichiyama**

**Monday 1/31/11 at 8:30AM in Room 309
HB 48 – Automatic Voter Registration**

TESTIMONY

Nikki Love, Executive Director, Common Cause Hawaii

Chair Souki, Vice Chair Ichiyama, and Committee Members:

Common Cause Hawaii strongly supports HB 48, which would implement a system of automatically registering eligible voters based on information from drivers licenses and other state identification records.

It's time to modernize the voter registration process. Our current voter registration method is archaic and burdensome, and unnecessarily excludes many eligible voters from participating in our democracy. In 2001, the National Election Commission chaired by Jimmy Carter and Gerald Ford concluded: "The registration laws in force throughout the United States are among the world's most demanding ... [and are] one reason why voter turnout in the United States is near the bottom of the developed world."

This issue is especially critical in Hawaii, where turnout has been dismal and we have been at the bottom of all 50 states in voter turnout. The numbers from the 2010 General Election show that there are 930,624 eligible voters in Hawaii, but only 690,748 registered voters. This leaves an estimated 239,876 potential voters (26% of those eligible) who were not registered at the time of the 2010 General Election.¹ Automatic voter registration is the first step to bring many of those eligible citizens into the system.

Automatic voter registration is a promising tool for improving accessibility and participation. To reach even more eligible voters, this bill could be expanded to include data from other government agencies, such as taxation and public assistance. We also recommend additional tools such as online registration and same-day voter registration to help bring down arbitrary barriers to voting.

Mahalo for the opportunity to submit testimony.

¹ Sources: http://elections.gmu.edu/Turnout_2010G.html,
<http://hawaii.gov/elections/results/2010/general/files/histatwide.pdf>



AMERICANS FOR DEMOCRATIC ACTION

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LATE TESTIMONY

January 29, 2011

TO: Rep. Joseph M. Souki, Chair; Rep. Linda Ichiyama, Vice Chair
Members of the House Committee on Transportation

FROM: Americans for Democratic Action/Hawaii
Barbara Polk, Legislative Chair

SUBJECT: SUPPORT FOR HB 48 RELATING TO ELECTIONS

Americans for Democratic Action/Hawaii supports HB 48, which would provide that all applicants for a new or renewed driver's license or state ID be automatically registered to vote. It has been a major embarrassment that the voting rate in Hawaii is among the lowest in the nation. One reason for this is the requirement that voters register 30 days before an election-- the maximum length of time between registration deadline and an election that is permitted by federal law.

There are many ways to remedy this situation, and we would recommend that the legislature adopt several of them. A good way to begin is to increase the registered voter pool, which the current bill would do. Among our Board members are current and former university faculty, a current student, and a retired minister. All of these people (as well as others on the Board) have encountered people who become interested in an election only in the month prior to election day and are disappointed to find that they cannot vote. Virtually all of these people have a driver's license or state ID. If they had been automatically registered, they would be able to vote.

Some may be concerned that individuals should not be forced to register to vote. However, that is quite different from being forced to vote—registered voters always have the option of not voting if they so choose.

We urge you to pass HB 48.

Thank you for the opportunity to testify.

LATE TESTIMONY

January 31, 2011

The Committee on Transportation

The Honorable Joseph Souki, Chair - TRN
Representative Linda Ichiyama, Vice Chair

Members of the Committee: Representatives Aquino, Takumi, Cullen, Yamashita, Lee,
Fontaine, Luke, Johanson, Saiki

SUBJECT: WRITTEN TESTIMONY IN FAVOR OF
HB 48, RELATING TO ELECTIONS

Hearing: Jan 31, 2011
8:30 am
Conference Room 309

Aloha Chairman Souki, Vice Chair, and Members of the Committee
Partners In Development Foundation (PIDF) is grateful for the opportunity to provide
testimony that strongly supports this measure.

PIDF has actively participated in voter registration for a number of election cycles
through the "No Vote No Grumble" initiative, a non-partisan voter awareness program
that encourages all of Hawai'i's citizens to participate in the democratic process.

We support the intent of this measure, as it automatically registers qualified persons to
vote when applying for a driver's license. It is our hope that these kinds of initiatives will
increase the much needed voter turnout of our state.

Mahalo A Nui Loa,

Jan E. Hanohano Dill
President & Chair
Partners In Development Foundation
808-595-2752 (B) / 808-595-4932
<http://pidfoundation.org>