

STAND. COM. REP. NO. 1012

Honolulu, Hawaii

MAR 22 2013

RE: H.B. No. 321
H.D. 1
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 321, 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 expand access to voting rights by permitting voter registration on the day of an election, allowing those who register on the day of the election to vote, and establishing procedures to implement voter registration on election day.

Your Committee received testimony in support of this measure from the Office of Elections, American Civil Liberties Union of Hawaii, League of Women Voters of Hawaii, Open Law Alliance, Common Cause Hawaii, Community Alliance on Prisons, Life of the Land, Hawaii Women's Coalition, and sixteen individuals. Comments on this measure were submitted by the Office of the County Clerk, County of Kaua'i; Office of the City Clerk, City and County of Honolulu; Office of the County Clerk, County of Maui; and Office of the County Clerk, County of Hawaii.

Your Committee finds that existing law does not allow a person to vote if that person does not register by the voter registration deadline, which is the thirtieth day prior to an election. The American Civil Liberties Union of Hawaii testified that in 2012, Hawaii had the lowest voter turnout rate in the country, with only sixty-two percent of registered voters casting



their ballots, and that election day registration has been shown to increase voter turnout by ten to twelve percent. This measure will assist in increasing voter registration and turnout in Hawaii.

Your Committee notes that under section 11-11, Hawaii Revised Statutes, the county clerks are responsible for voter registration and keeping the general register and precinct lists within their respective counties. Furthermore, section 15-7, Hawaii Revised Statutes, provides that absentee polling places are required to be opened at the office of the respective county clerk no later than ten working days prior to election day and all Saturdays falling within that ten-working-day time period. Your Committee further finds that allowing individuals to register to vote at absentee polling places, rather than at polling places only on election day, will provide a greater opportunity for individuals to register, thereby increasing voter turnout. Moreover, the concerns regarding establishing and implementing a process to designate and train an election official at each polling place during election day under this measure are addressed if voter registration is permitted at absentee polling places at the offices of the county clerks because the county clerks are statutorily responsible for voter registration and will not require additional voter registration training.

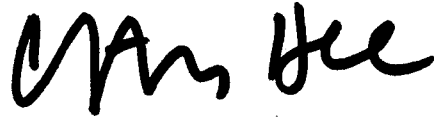
Accordingly, your Committee has amended this measure by:

- (1) Deleting the contents of section 1 and replacing them with language that amends section 15-7, Hawaii Revised Statutes, to allow an individual who is eligible to vote, but has not previously registered, to register to vote by appearing in person at the absentee polling place for the county in which the individual maintains residence; and
- (2) Changing the effective date from January 1, 2100, to July 1, 2050.

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. 321, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 321, H.D. 1, S.D. 1, and be referred to the Committee on Ways and Means.



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



CLAYTON HEE, Chair



