

JAN 24 2013

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A BILL FOR AN ACT

RELATING TO ELECTIONS BY MAIL.

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

1 SECTION 1. Section 11-91.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[~~f~~]§11-91.5[~~f~~] Federal, state, and county elections by  
4 mail. (a) Any federal, state, or county election [~~held other~~  
5 ~~than on the date of a regularly scheduled primary or general~~  
6 ~~election]~~ may be conducted in whole or in part by mail. The  
7 chief election officer shall be authorized to designate specific  
8 precincts or counties whose elections will be conducted by mail,  
9 in whole or in part.

10 (b) The chief election officer shall determine whether a  
11 federal [~~or state election, other than a regularly scheduled~~  
12 ~~primary or general]~~ election, state election, or an election  
13 involving state and county offices, may be conducted by mail [~~or~~  
14 ~~at~~], at polling places, or a combination of mail and polling  
15 places.

16 (c) The county clerk shall determine whether a solely  
17 county election, held other than on the date of a regularly  
18 scheduled primary or general election, may be conducted by mail

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1 ~~[or at]~~, at polling places, or a combination of mail and polling  
2 places. An election by mail in the county shall be under the  
3 supervision of the county clerk.

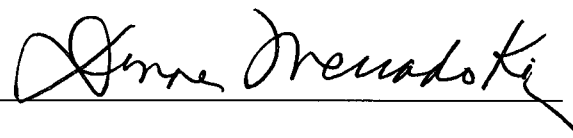
4 (d) The chief election officer shall adopt rules pursuant  
5 to chapter 91 to provide for uniformity in the conduct of  
6 federal, state, and county elections by mail."

7 SECTION 2. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$ or so much  
9 thereof as may be necessary for fiscal year 2013-2014 and the  
10 same sum or so much thereof as may be necessary for fiscal year  
11 2014-2015 to research and plan an election by mail system.

12 The sums appropriated shall be expended by the office of  
13 elections for the purposes of this Act.

14 SECTION 3. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17  
18 INTRODUCED BY: 

19 BY REQUEST

20

**Report Title:**

Elections by Mail; Appropriation

**Description:**

Authorizes the conducting of elections, in whole or in part, by mail. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Office of the Governor

TITLE: A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL.

PURPOSE: To permit any federal, state, or county election to be conducted in whole or in part by mail.

MEANS: Amend section 11-91.5, Hawaii Revised Statutes, and appropriation of funds.

JUSTIFICATION: Under the current law, section 11-91.5, Hawaii Revised Statutes, a federal, state, or county election held on a date other than the date of a regularly scheduled primary or general election may be conducted in whole or in part by mail. This bill would amend section 11-91.5 to permit any election to be conducted in whole or in part by mail. There are several advantages to voting by mail. It facilitates voting for individuals who are very busy, disabled, or elderly and, as a result, may increase voter turnout. It is likely to be less expensive to administer elections on election day and will avoid the recent problems experienced when there was a shortage of paper ballots at the polling places. It also allows voters more time and privacy to consider their votes and will also allow more time for counting votes and thereby expedite election results. Two states, Oregon and Washington, currently conduct all elections by mail; however, each county in those states maintains a polling place on election day for those who want to vote in person or need assistance.

Impact on the public: All mail elections will make it more convenient for people to vote and thereby potentially increase voter turnout. All mail elections will also avoid the problems experienced by voters in the 2012 General Election where there was a

shortage of paper ballots and long lines and waiting periods at many polling places.

Impact on the department and other agencies:

The Office of Elections will likely be reorganized and the staff will likely be reduced. It is also likely that fewer seasonal workers will be needed and it is likely that the overall cost of operating elections will be reduced.

GENERAL FUND: \$ \_\_\_\_\_

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: AGS 879.

OTHER AFFECTED  
AGENCIES: In addition to the Office of Elections, each of the counties and specifically, the Offices of County Clerks, will be affected by this bill.

EFFECTIVE DATE: Upon approval.