

Honolulu, Hawaii

March 27, 2015

RE: S.B. No. 287
S.D. 2
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 287, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose of this measure is to establish an election by mail program to gradually convert elections conducted in the State to mail-in elections by:

- (1) Implementing election by mail in a county with a population of fewer than 100,000 beginning with the 2016 primary election, in each county with a population of fewer than 500,000 beginning with the 2018 primary election, and for all elections statewide beginning in 2020;
- (2) Providing voter service centers in each county and specifying the services to be provided to the voters at those centers;
- (3) Requiring the Office of Elections to submit annual reports to the Legislature from 2016 to 2021 regarding the progress in implementing the election by mail program; and



- (4) Appropriating funds to implement and administer the election by mail program.

The Office of Elections, County of Kauai Office of the County Clerk and two concerned individuals testified in support of this measure. The Office of Hawaiian Affairs and County of Maui Office of the County Clerk testified in support and recommended amendments. Two concerned individuals testified in opposition. Common Cause Hawaii and League of Women Voters testified in opposition and recommended amendments. City and County of Honolulu Office of the City Clerk provided comments.

Your Committee has amended this measure to:

- (1) Provide Election Day Registration at voting service centers beginning January 1, 2018;
- (2) Require the county clerk to mail ballots no earlier than 30 days before election;
- (3) Amend section 11-91.5, Hawaii Revised Statutes, relating to elections conducted by mail to further define the responsibilities of the Chief Election Officer and county clerks and allocate the expense of elections between the State and counties;
- (4) Prohibit the disclosure of election results if a natural disaster causes the election to be postponed;
- (5) Prohibit the disclosure of election results for mail ballots that are counted in advance of Election Day;
- (6) Allow the electronic transmission of ballots in instances when the voter did not receive or lost the ballot sent by mail;
- (7) Specify a secure, convenient, and streamlined process for the voter to obtain a replacement ballot;
- (8) Specify the process for designating and operating the voter service centers, require at least one voter service center per county, and require the voter service center to provide certain services including voter registration, update voter records, and receive cast ballots;



- (9) Define "election by mail ballot package," "place of deposit," "poll or polling place," and "voter service center;"
- (10) Specify appropriation amounts of \$50,000 for each year of the fiscal biennium 2015-2017 to implement and administer the election by mail program;
- (11) Change the effective date of this measure to July 1, 2015; and
- (12) Make technical, nonsubstantive amendments for clarity, consistency and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 287, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 287, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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



KARL RHOADS, Chair



