

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 1066  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 1066 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Office of Elections to implement elections by mail in a county with a population of fewer than 100,000 beginning with the primary election in 2018, and implement elections by mail in each of the other counties for all elections beginning with the 2020 primary election;
- (2) Clarify that a registered voter may request an absentee ballot or permanent absentee ballot in lieu of receiving an election by mail ballot if the registered voter is in a county that has not yet implemented elections by mail and establish that an absentee ballot-only election may continue to be conducted;
- (3) Establish an election by mail system, including requirements for ballots, replacement ballots, deficient return of ballots, electronic transmission under certain circumstances, ballot counting, voter service centers, places of deposit, and election expenses and responsibilities;



- (4) Establish procedures for postponed elections;
- (5) Make conforming amendments to existing laws relating to elections to reflect and implement an election by mail system;
- (6) Allow permanent absentee voters to request that their ballots be temporarily forwarded to another address in or outside of the State for a single election or a primary or special primary election and the election immediately following it;
- (7) Appropriate funds for the implementation and administration of the election by mail system; and
- (8) Require the Office of Elections to submit a report to the Legislature prior to the convening of each Regular Session from 2018 until 2024, regarding the implementation and administration of the election by mail program.

Your Committee received testimony in support of this measure from the Office of Elections; 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 Hawai'i; Americans for Democratic Action Hawai'i; Hawai'i Alliance for Progressive Action; Common Cause Hawaii; League of Women Voters of Hawaii; Sierra Club of Hawai'i; and twenty-six individuals. Your Committee received testimony in opposition to this measure from the Libertarian Party of Hawaii and two individuals.

Your Committee finds that the trend in Hawaii has been toward increased mail-in voting and that shifting to elections by mail would significantly reduce the logistical issues related to conducting elections. This measure implements an election by mail voting system in increments to allow the State to transition to elections by mail through a phased-in approach.

Your Committee notes that S.B. No. 334, Regular Session of 2017, as amended, proposes to uniformly implement an election by mail voting system for all elections beginning with the 2020 primary election. Your Committee further notes that various stakeholders, including the Office of Elections, prefer a phased-in approach rather than uniform implementation of an election by



mail system, and believes that both approaches merit further discussion as these two measures move through the legislative process.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 7, 2059, to encourage further discussion; 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 S.B. No. 1066, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1066, S.D. 1, and be referred to your Committee on Ways and Means.

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

  
GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 1066</b>	Committee Referral: <b>JDL, WAM</b>	Date: <b>2/10/17</b>
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The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
 Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>

Recommendation:  Adopted      Not Adopted

Chair's or Designee's Signature:  
*Karl Rhoads*

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\*Only one measure per Record of Votes