

STAND. COM. REP. NO.

592

Honolulu, Hawaii

MAR 02 2017

RE: S.B. No. 1271

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. 1271 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II,
SECTION 1, OF THE HAWAII STATE CONSTITUTION TO CHANGE THE AGE
QUALIFICATION FOR VOTING IN STATE OR LOCAL ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a
constitutional amendment to allow citizens who are seventeen years
of age but will be eighteen years of age on or before the next
state or local general election to vote at the state or local
primary election immediately preceding the state or local general
election by which the citizen will attain the age of eighteen.

Your Committee received testimony in opposition to this
measure from one individual. Your Committee received comments on
this measure from the Department of the Attorney General.

Your Committee finds that Hawaii has one of the lowest voter
turnout rates in the nation. By granting voting rights to certain
individuals to participate in the voting process for state and
local elections, this constitutional amendment may assist in
improving voter turnout and educating youths about the democratic
process.

Your Committee notes the concerns raised by the Department of
the Attorney General regarding the durational residency
requirement in this constitutional amendment. According to the
Department, a durational residency requirement has been struck

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down as a violation of the federal Equal Protection Clause and deemed unconstitutional. The Department suggested language that repealed the durational residency requirement of being a state resident of not less than one year immediately preceding the next state or local general election for individuals who have not attained the age of eighteen under certain circumstances. Your Committee further notes that the same durational residency requirement already exists for individuals who have attained the age of eighteen under article II, section 1, of the Hawaii State Constitution and believes this issue merits further discussion as this constitutional amendment moves through the legislative process.

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. 1271 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



GILBERT S.C. KEITH-ASARAIN, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 1271	Committee Referral: JDL	Date: 2/6/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> 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.	✓			
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">Karl Rhoads</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes