

Honolulu, Hawaii

FEB 17 2017

RE: S.B. No. 855
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. 855 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 an affidavit on an application for voter registration to be included as part of the application for driver's licenses and civil identification cards;
- (2) Prevent the processing of an application for a driver's license or civil identification card unless the voter affidavit is complete or declined; and
- (3) Provide that the submission of a voter registration application either to register to vote or update the voter's registration information constitutes a request for permanent absentee voter status unless the applicant specifically indicates the applicant does not wish to be a permanent absentee voter.

Your Committee received testimony in support of this measure from the Office of Elections; Office of Hawaiian Affairs; Office of the County Clerk, County of Kaua'i; Office of the County Clerk, County of Maui; Common Cause Hawaii; Americans for Democratic



Action Hawaii; League of Women Voters of Hawaii; Kupuna Caucus of the Democratic Party of Hawaii; Ko'olaupoko Hawaiian Civic Club; and twenty-five individuals. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that automatic voter registration, also known as "motor voter", provides eligible voters an opportunity to register to vote when applying for or renewing a driver's license unless the eligible voter affirmatively declines to be registered. Proponents believe that automatic voter registration assists in removing barriers to registration for eligible voters, which is the first step to voter participation. Voter registration through a routine and necessary transaction, such as driver's licensing or renewal, increases voter registration efficiency and effectiveness and voter turnout. Hawaii has one of the lowest voter registration rolls and participation rates in the country. This measure will assist in increasing voter registration by providing the option for individuals when applying for or renewing driver's licenses and state identification cards to register to vote.

Your Committee notes that S.B. No. 206, Regular Session of 2017, as amended, contains substantially similar language as this measure except for the language that requires submission of a voter registration application to constitute a request for permanent absentee voter status unless the applicant affirmatively declines permanent absentee voter status. Your Committee further notes the comments submitted by the Department of Transportation that all sections of this measure should take effect on January 1, 2018, to reflect the effective date of section 2 of Act 167, Session Laws of Hawaii 2016, and provide a uniform transition to the new application form. Finally, your Committee notes the concerns submitted by Common Cause Hawaii that individuals may inadvertently register to vote without fully understanding that the submission of a voter registration application automatically requests permanent absentee voter status. Your Committee believes that all of these issues merit further discussion as this measure moves through the legislative process.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that requires an affidavit on an application for voter registration to be included as part of the application for driver's licenses and civil



identification cards and prevents the processing of an application for a driver's license or civil identification card unless the voter affidavit is complete or declined;

- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) 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. 855, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 855, 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.:* SB 855	Committee Referral: JDL, WAM	Date: 2/16/17		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" 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:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes