

STAND. COM. REP. NO.

1740

Honolulu, Hawaii

MAR 24 , 2021

RE: S.B. No. 548  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 548, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS BY MAIL,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the State's election laws to clarify and improve the administration of elections by mail;
- (2) Establish Voters With Special Needs Advisory Committees;
- (3) Require the Department of Public Safety to inform individuals on parole or probation of their right to vote and provide them with information on how to register and vote; and
- (4) Require the Office of Elections and the county clerks to make a determination, as soon as practicable, of the optimal number and placement of voter service centers.

Your Committee received testimony in support of this measure from the Office of Elections, Disability and Communication Access Board, Office of the County Clerk of the County of Kaua'i,

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Community Alliance on Prisons, AARP Hawai'i, LGBT Caucus of the Democratic Party of Hawaii, National Federation of the Blind of Hawaii, League of Women Voters of Hawaii, and fifteen individuals. Your Committee received comments on this measure from the Honolulu Elections Division, Office of the County Clerk of the County of Hawaii, Common Cause Hawaii, American Association for the Advancement of Science's Center for Scientific Evidence in Public Issues, Common Cause, and one individual.

Your Committee finds that statewide elections by mail was implemented in the 2020 primary and general elections, with the State receiving a record voter turnout. This measure is necessary to build upon the experience gained in implementing elections by mail. Your Committee further finds that this measure will improve services and opportunities for voters to cast their ballots and the administration of elections by state and county election officials.

Your Committee has amended this measure by:

- (1) Restoring language that clarifies that any person whose name has been removed from the register may have that person's name restored at any time;
- (2) Repealing the requirement that election proclamations contain a statement of the time and places where an election is to be held;
- (3) Specifying that the county clerk, not the Chief Election Officer, shall issue an election proclamation listing all voter service centers and places of deposit as may have been determined by the clerk as of the proclamation date and whenever a new precinct is established in any representative district;
- (4) Deleting language that would have provided a means of electronic authentication for voters with special needs that does not include the voter's handwritten signature or a waiver of secrecy;
- (5) Deleting language that would have required the clerk to make reasonable efforts to determine the validity of ballots within ten days following an election day, instead of seven;



- (6) Amending the requirements for establishing voter service centers;
- (7) Requiring the Chief Election Officer, or county clerk in a county election, to compile, certify, and release the election results by district and precinct;
- (8) Requiring the Hawaii Paroling Authority to notify individuals on parole of their eligibility to vote and provide them with information on how to register and vote; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 548, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 548, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



