

ACT 36

A Bill for an Act Relating to Voting Qualifications of Persons in the Armed Services and their Dependents and Amending Chapter 11, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. This Act is hereby declared to be an urgency meas-

ure deemed necessary in the public interest within the meaning of section 11 of Article III of the Constitution of the State of Hawaii.

The following is a statement of the facts constituting such urgency:

Under existing law the residence status of on-base military personnel and their dependents is not clear and has frequently resulted in precluding them from qualifying as voters in local, state and national elections. Legislation is immediately urgent, before another statewide election is held, to clarify that members of the United States armed services and their dependents who reside on a military base in Hawaii and who prove intention to establish legal residence in the State shall be subject to the same standards for voting qualification as are applicable to persons living off military bases.

SECTION 2. Section 11-8, Revised Laws of Hawaii 1955, as amended, is hereby amended as follows:

a. Item 10 in the form contained therein entitled, "AFFIDAVIT ON APPLICATION FOR REGISTRATION," is amended to read:

"10. The residence stated in item 8 of this affidavit is not simply because of my presence in Hawaii but has been acquired with the intent to make Hawaii my legal residence."

b. The last sentence in the first paragraph following the form of affidavit on application for registration is amended to read:

"Unless contested by a qualified voter, the clerk may accept, as prima facie evidence, the allegation of the applicant in paragraph numbered 10 of the affidavit on application for registration. In any other case where the clerk shall so desire or believe the same to be expedient, he may demand that the applicant furnish substantiating evidence to the allegations of his application."

SECTION 3. This Act shall take effect upon its approval.
(Approved April 12, 1966.) S.B. 31.