STAND. COM. REP. NO. 2886

Honolulu, Hawaii

MAR 2 1 2012

RE: H.B. No. 1754

H.D. 1 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 1754, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the mailing of absentee ballots to all registered voters residing in population areas of fewer than five hundred voters in lieu of operating polling places for voters in those areas.

Your Committee received testimony in support of this measure from the Office of Elections, Office of the County Clerk of the County of Kauai, and Office of the County Clerk of the County of Maui.

Your Committee finds that in a normal reapportionment year, attempts are made to line up boundaries to avoid areas being unnecessarily divided on the basis of county council, state representative, state senator, and congressional district lines, and to avoid small population pockets that require the development of their own unique ballot types. A ballot type contains the specific contest, questions, or issues that voters who reside in that specific area are entitled to vote on.

However, due to the invalidation of the 2011 legislative reapportionment plan, the Reapportionment Commission has a limited amount of time to redraft the plan. As such, the boundary lines

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may not line up with each other so as to avoid small population pockets. Given the small number of voters in each of these potential population pockets and the financial resources and personnel required to establish and operate a polling place for these populations, this measure allows the county clerk to mail an absentee ballot to each registered voter who resides in a population pocket of fewer than five hundred voters in lieu of operating a polling place for voters in those areas.

Your Committee has amended this measure by:

- (1) Changing the effective date from January 7, 2059, to upon approval; 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 H.B. No. 1754, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1754, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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

CIAVION HEE Chair

The Senate Twenty-Sixth Legislature State of Hawai'i

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee	Referral:	Dat	e: /	/
HB1754 HD1	(JDL		3//3/	12
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)					
GABBARD, Mike	·				
IHARA, Jr., Les					
SLOM, Sam					
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Recommendation: Adopted Not Adopted					
Chair's or Designee's Signatur	re:	M			
Distribution: Original File with Committee Re	and the second s	ellow 's Office	Pink Drafting Agency		denrod e File Copy

^{*}Only one measure per Record of Votes