

STAND. COM. REP. NO.

3092

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2794
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2794 entitled:

"A BILL FOR AN ACT RELATING TO ELECTIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to address various inconsistencies to clarify and improve the administration of elections by mail.

Your Committee received testimony in support of this measure from Common Cause Hawaii. Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that Act 136, Session Laws of Hawaii 2019, converts Hawaii elections to a statewide vote-by-mail system beginning with the 2020 election year. Ballots will be mailed and received by all registered voters eighteen days before the election day, the voter will then mark the ballot, put it first into a secrecy envelope, and then place the secrecy envelope and its contents in a separate prepaid mailing envelope, sign an affidavit on the exterior of the mailing envelope, and return the package via mail. Ballots must be received by 7:00 p.m. on Election Day. Once returned by the voter, voting officials will scan the unopened exterior returned ballot to verify signatures and then open the envelope. The enclosed ballots are tabulated by computer, but a verifiable paper trail is maintained for all



ballots. Replacement ballots for lost or damaged ballots are available from the county clerks, who cancel the original ballot before issuing a replacement.

Your Committee further finds that Act 136 establishes a limited number of voter service centers that will remain open from the tenth business day preceding an election through the day of the election to receive personal delivery of mail-in ballots, offer same day registration and voting, and provide other election services. This measure addresses various inconsistencies to ensure elections by mail may be properly administered this 2020 election year.

Your Committee has amended this measure by:

- (1) Inserting language similar to the contents of S.B. No. 2048, S.D. 1, Regular Session of 2020, to extend the voter registration deadline from thirty to ten days prior to each election;
- (2) Replacing the term "closing hour" with "closing time" throughout, where appropriate;
- (3) Inserting language to require that on election day the clerk of any county with a population less than 500,000 shall operate one additional voter service center on each island and the clerk of any county with a population of 500,000 or more shall operate three additional voter service centers, one of which shall be on the Windward side;
- (4) Providing that the additional places of deposit that may be established by the clerks with varying or shorter days or hours of operations shall be open until 7:00 p.m. on election day; and
- (5) 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 that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2794, as amended herein, and recommends that it pass Second



Reading in the form attached hereto as S.B. No. 2794, S.D. 1, and
be placed on the calendar for Third Reading.

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

Karl Rhoads

KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2794	Committee Referral: JDC	Date: 2/20/2020		
<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
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike				/
KIM, Donna Mercado	/			
FEVELLA, Kurt				/
TOTAL	3			2
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