STAND. COM. REP. NO. 176

Honolulu, Hawaii , 2021 FEB 11 RE: H.B. No. 740 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 H.B. No. 740 entitled:

"A BILL FOR AN ACT RELATING TO VOTING,"

begs leave to report as follows:

The purpose of this measure is to:

- Make an application for voter registration, including an affidavit, part of all driver's license and state identification card applications;
- (2) Automatically register each applicant who elects to be registered to vote, unless the applicant affirmatively declines to be registered to vote; and
- (3) Require sharing of information among the counties, Department of Transportation, and election personnel.

Your Committee received testimony in support of this measure from the Office of Elections; Department of Transportation; Sierra Club of Hawai'i; Faith Action for Community Equity; Hawai'i Alliance of Nonprofit Organizations; Americans for Democratic Action Hawai'i; Young Progressives Demanding Action; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; League of Women Voters of Hawaii; Community Alliance on Prisons;

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American Association of University Women of Hawaii; Hawai'i Friends of Civil Rights; LGBT Caucus of the Democratic Party of Hawaii; Hawai'i Health & Harm Reduction Center; Common Cause Hawaii; AVR Hawaii Coalition; American Civil Liberties Union of Hawai'i; AARP Hawai'i; Women's Caucus of the Democratic Party of Hawaii; and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that this measure will require applicants to either automatically register to vote or affirmatively opt out of registration as part of the driver's license and identification card application process. In addition, the electronic sharing of data will help ensure the accuracy of voter registration rolls and compliance with the National Voter Registration Act of 1993 and Help America Vote Act of 2002.

Your Committee has amended this measure by:

- Clarifying that an application for voter registration must be a part of the application for issuance of a provisional driver's license or instruction permit;
- (2) Deleting language that would have made databases containing driver's license, provisional license, instruction permit, or identification card information maintained or operated by the counties or Department of Transportation directly accessible to election officials and the online voter registration system;
- (3) Authorizing the Director of Transportation, rather than the Chief Election Officer, to determine other government purposes for providing election officials and the online voter registration system access to the databases maintained or operated by the counties or Department of Transportation;
- (4) Inserting language that requires an application for a driver's license, provisional license, instruction permit, or identification card to include the affidavit and voter registration application into more appropriate statutes; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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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 H.B. No. 740, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 740, 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,

NAKASHIMA, Chair

State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 740	Committee Referral: JHA, FIN		Date: 2-4-21		
θ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: θ Pass, unamended (as is) \bigstar Pass, with amendments (HD) θ Hold θ Pass short form bill with HD to recommit for future public hearing (recommit)					
JHA Members	Ayes	Ayes (WR)	Nays	Excused	
1. NAKASHIMA, Mark M. (C)		NAMES AND A CONTRACT OF			
2. MATAYOSHI, Scot Z. (VC)					
3. ICHIYAMA, Linda					
4. KOBAYASHI, Dale T.					
5. LoPRESTI, Matthew S.					
6. LOWEN, Nicole E.					
7. McKELVEY, Angus L.K.			· · Art Bar of · ·		
8. NAKAMURA, Nadine K.					
9. TAKUMI, Roy M.					
10. TODD, Chris					
11. TOKIOKA, James Kunane					
12. WARD, Gene					
TOTAL (12)		Q	Ø.		
The recommendation is:					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					