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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE AN INFORMATIONAL BRIEFING AND DEMONSTRATION TO THE APPROPRIATE SENATE AND HOUSE COMMITTEES REGARDING THE OPERATION AND USE OF NEW ELECTRONIC VOTING SYSTEMS AND TO PROVIDE INFORMATION PRIOR TO CONTRACTING TO PURCHASE ANY NEW VOTING SOFTWARE OR EQUIPMENT RELATED TO ANY NEW VOTING SYSTEM.

1           WHEREAS, the American system of representative democracy  
2 relies on an engaged citizenry and the accurate representation  
3 of its people; and  
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5           WHEREAS, all elections should be fair and open, and that  
6 means that all eligible voters should be allowed to cast their  
7 ballot and have their ballot be counted; and  
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9           WHEREAS, the State, over the past decade, has gone from  
10 punch-card voting machines to paper ballots with electronic  
11 readers; and  
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13           WHEREAS, electronic voting machines were used successfully  
14 by handicapped voters in the 2004 and 2006 elections; and  
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16           WHEREAS, the key complaint with the electronic voting  
17 system is that the system does not provide a reliable way to  
18 audit the results to check whether the tallies accurately  
19 reflect the votes cast; and  
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21           WHEREAS, several nongovernmental election observers  
22 questioned the use of this technology in Hawaii since the  
23 previous voting system allowed for the ballots to be manually  
24 recounted; and  
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26           WHEREAS, the State Chief Elections Officer stated there is  
27 a system that allows the Office of Elections to provide an audit  
28 even though there will be no paper ballot generated for each  
29 electronically cast ballot; and



1 WHEREAS, some election software experts and observers  
2 questioned the reliability of the electronically stored ballots  
3 claiming the data stored could be flawed by a computer virus or  
4 bug and still result in a satisfactory audit; and  
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6 WHEREAS, with the upcoming 2008 primary and general  
7 elections, where the voters may be divided, it is prudent, in a  
8 state like Hawaii, to have a voting system that is dependable  
9 and accurate; and  
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11 WHEREAS, the Office of Elections may be looking to purchase  
12 new electronic voting system software and equipment that will be  
13 used and relied upon in future elections; and  
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15 WHEREAS, the Legislature has become aware of information  
16 that the costs of such new systems and equipment for a multi-  
17 year contract and commitment may be nearly \$53,000,000; and  
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19 WHEREAS, there is insufficient information at this time to  
20 confirm whether the funding for this amount is reasonable or  
21 that it will be provided by all necessary sources, including  
22 federal, state, and county funds, and whether the proper  
23 procedures and certifications required under Sections 103D-309  
24 and Section 103-9, Hawaii Revised Statutes, were correctly and  
25 completely adhered to and completed, or in some instances  
26 abridged; and  
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28 WHEREAS, the Office of Elections has indicated that the  
29 contract, when awarded, will provide for a mechanism whereby the  
30 contract can be cancelled if future funding amounts are not  
31 appropriated or otherwise made available, although it may be  
32 more reasonable and prudent for the Legislature that any such  
33 potential commitment or investment be properly reviewed and  
34 verified as appropriate; and  
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36 WHEREAS, the Legislature requests the opportunity to  
37 investigate, review, and approve any proposed changes and  
38 contract purchases relating to the electronic voting systems;  
39 now, therefore,  
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41 BE IT RESOLVED by the House of Representatives of the  
42 Twenty-fourth Legislature of the State of Hawaii, Regular  
43 Session of 2008, the Senate concurring, that the Office of  
44 Elections is requested to hold an informational briefing and



1 demonstration as soon as practicable, but prior to November 4,  
2 2008, regarding the operation and use of the new electronic  
3 voting systems to the appropriate Senate and House of  
4 Representatives committees; and  
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6 BE IT FURTHER RESOLVED that the Office of Elections is  
7 requested to provide information as to the prior and future  
8 funding amounts relating to systems and equipment, and the  
9 sources or proposed sources of such funds, and to provide  
10 justification that all future appropriations are reasonable and  
11 necessary; and  
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13 BE IT FURTHER RESOLVED that the Office of Elections provide  
14 answers to any questions or information prior to the purchase of  
15 any new technology or equipment related to the electronic voting  
16 systems; and  
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18 BE IT FURTHER RESOLVED that a certified copy of this  
19 Concurrent Resolution be transmitted to the Chief Elections  
20 Officer of the Office of Elections.  
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