
HOUSE CONCURRENT RESOLUTION

REQUESTING THE CHIEF ELECTION OFFICER TO CARRY OUT VARIOUS TASKS
TO ENSURE THAT VOTING BALLOTS ARE SECURED AND COUNTED
ACCURATELY.

1 WHEREAS, voting is a fundamental right of any democracy;
2 and

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4 WHEREAS, accurate and secure tabulation of votes during an
5 election is critical to ensuring that citizens continue to have
6 faith in their government; and

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8 WHEREAS, the Hawaii Revised Statutes (HRS) contain
9 provisions to help ensure the accuracy and security of the vote
10 count process; and

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12 WHEREAS, paragraph 16-42(b)(3), HRS, requires a post-
13 election, pre-certification audit of a random sample of not less
14 than ten percent of the precincts using electronic voting
15 systems if the Chief Election Officer (Election Officer) seeks
16 to rely on electronic tabulation of votes; and

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18 WHEREAS, paragraph 16-42(b)(1), HRS, establishes that an
19 electronic voting system shall be subject to inspection, audit,
20 and experimental testing, by qualified observers, before and
21 after the election if the Election Officer seeks to rely on the
22 electronic tabulation of votes; and

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24 WHEREAS, in the 2008 elections, the Election Officer relied
25 on the electronic tabulation of votes but did not conduct the
26 required audits; and

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28 WHEREAS, all electronic voting machines have the ability to
29 print out the results at the close of the polls; and
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1 WHEREAS, recent and current procurement proposals for
2 election voting equipment and services permit the transmission
3 of voting data from county election counting centers to the
4 state election count center through local area networks and the
5 Internet; and

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7 WHEREAS, mail-in absentee ballots are not subject to the
8 statutorily required manual recount audits, making it more
9 difficult to determine if the ballots have been tampered with;
10 and

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12 WHEREAS, additional measures need to be taken to ensure
13 that mail-in ballots and the transmission of voting data are
14 handled in a secure manner; now, therefore,

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16 BE IT RESOLVED by the House of Representatives of the
17 Twenty-fifth Legislature of the State of Hawaii, Regular Session
18 of 2009, the Senate concurring, that the Election Officer is
19 requested to comply with the requirements of subsection 16-
20 42(b), HRS; and

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22 BE IT FURTHER RESOLVED that the Election Officer is urged
23 to require that hard copy print-outs of the results of each
24 electronic voting machine be made, and that this information is
25 available for inspection before data is transmitted from one
26 machine to another during the process of tabulation; and

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28 BE IT FURTHER RESOLVED that the Election Officer is urged
29 to require that transmission of data over local area networks,
30 telephone lines, or the Internet be done by secure lines, and
31 that all electronic transmissions of election data be
32 substantiated and verified by hard copy tracing; and

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34 BE IT FURTHER RESOLVED that the Election Officer manually
35 audit all precincts to include, at random, a number of absentee
36 mail-in ballots; and

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38 BE IT FURTHER RESOLVED that the Legislative Reference
39 Bureau is requested to submit a report to the Legislature no
40 later than 20 days prior to the convening of the Regular Session



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1 of 2010, on the progress made by the Election Officer toward
2 achieving the requested actions contained in this measure; and
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4 BE IT FURTHER RESOLVED that certified copies of this
5 Concurrent Resolution be transmitted to the Chief Election
6 Officer and the Director of the Legislative Reference Bureau.
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OFFERED BY: Mel Carroll

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ALAN SENI

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Denny Giff

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MAR 13 2009