

**FIVE YEARS LATER: A RE-ASSESSMENT OF  
OREGON'S VOTE BY MAIL ELECTORAL PROCESS**

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## **FIVE YEARS LATER: A RE-ASSESSMENT OF OREGON'S VOTE BY MAIL ELECTORAL PROCESS**

### **Abstract**

Five years ago the state of Oregon adopted vote by mail as the method for conducting all of its elections. This survey was conducted in 2003 to determine if public opinion on vote by mail has remained the same, and also to assess the effect of vote by mail on levels of participation among Oregon voters. The results suggest that Oregonians, across all demographic and partisan categories, continue to favor this type of election. A majority of respondents indicated that their turnout has not changed since the adoption of vote by mail. However, almost one-third of the respondents reported that they voted more often with vote by mail -- particularly women, the disabled, homemakers, and those aged 26-38 years. These results also suggest that no partisan advantage is likely to result as a consequence of elevated turnout under vote by mail.

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In 1981, the Oregon State Legislature approved a test of all-mail elections in certain local contests, and, by 1987, a majority of counties began conducting all-mail elections for local races or ballot measures, primarily because of reduced costs.<sup>1</sup>

The circumstances of Senator Bob Packwood's resignation, effective October 1, 1995, led to a primary and general election for his replacement. The "special" nature of both this primary in December 1995 and the general election in January 1996 allowed the Secretary of State to adopt an all-mail format for these two elections. These were the first federal elections in the nation to be conducted entirely by mail. The League of Women voters led a successful petition drive to put vote by mail on the 1998 general election ballot, and this ballot measure passed with a 67% margin. Since that time, all elections in Oregon have been conducted by mail.<sup>2</sup>

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<sup>1</sup> In general, the cost of conducting all-mail elections is 1/3 to 1/2 of the amount required for polling place elections. For example, the May 1994 polling place election in Oregon cost \$4.33 per ballot while the May 1995 vote by mail election cost \$1.24 per ballot. See State of Oregon (1995), p. 4.

<sup>2</sup> A vote by mail election officially begins when ballots were mailed to all registered voters approximately three weeks prior to Election Day. Ballots cannot be sent to a forwarding address. The voter marks his ballot, puts it in a "secrecy" envelope, inserts this envelope inside a mailing envelope, which must be signed on the outside. He then has three weeks to mail in (or drop off at a designated site) this signed envelope.

Public opinion surveys conducted immediately after this 1996 special election indicated widespread support among Oregonians for this new type of electoral format (Southwell and Burchett 1997; Traugott, 1996). However, certain observers of vote by mail have suggested that the popularity of vote by mail and its effect on turnout may have been influenced by the novelty of this reform (Jeffe and Jeffe, 1990; Magelby, 1987). Others have noted that a crucial question about vote by mail is its effect on voting behavior over time (Berinsky et al., 2001). Since it has been nearly five years since vote by mail was adopted for all elections in Oregon, this 2003 survey can now provide additional public opinion data on vote by mail, as well as an updated analysis of its effect on turnout.

#### **Data and Methods**

This research uses data from the Oregon Annual Social Indicators Survey, conducted by the Oregon Survey Research Laboratory at the University of Oregon. A random-digit-dialing (RDD) survey of 1037 individuals in the state of Oregon was conducted between December, 2002 and January 2003.<sup>3</sup> For the purposes of this study, only registered voters (n=695) were analyzed.<sup>4</sup>

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Four days before Election Day, voters are advised to deliver their ballots in person to the county courthouse if they have not already mailed in their ballots. The voter's signature on the outside envelope is then compared with the signature on record when the voter initially registered to vote.

<sup>3</sup> The response rate was 62.28%.

<sup>4</sup> Vote-by-mail is an electoral reform that can only have an effect on registered voters. See Berinsky et al (2001, p. 6) and Southwell and Burchett (2000, p. 78).

### **Preference for Type of Election**

Table I provides a bivariate analysis of the respondents' preferences for either vote by mail or the polling place as a method of conducting elections. The overwhelming support for vote-by-mail is apparent (80.9%), and this preference is consistent across all demographic and attitudinal subcategories. While certain groups had an even more positive view of vote by mail -- specifically, women, Democrats, moderates, homemakers, retirees, and the disabled -- these differences show only weak statistical significance.

{Insert Table 1 about here}

These findings are consistent with the public support for vote by mail, as reported in the surveys conducted in 1996 (Traugott, 1996; Southwell and Burchett, 1997). Although this 2003 survey did not ask the reasons for this preference for vote by mail, we can safely assume that a majority of them favored the ease and convenience of vote by mail, as was mentioned by 78.5% of those who preferred vote by mail in the 1996 survey conducted by Southwell and Burchett (1997, p. 54). It appears that a majority of Oregonian voters have remained attached to this newly-adopted reform.

**Table 1. Preference for Election Type**

	<b>Prefer Vote by mail</b>	<b>Prefer Polling Place</b>
<b>Entire Sample</b>	<b>80.9%</b>	<b>19.1%</b>
<b>Gender*</b>		
Male	77.5%	22.5%
Female	83.0%	17.0%
<b>Party Identification*</b>		
Democrat	85.0%	15.0%
Independent	80.8%	19.2%
Republican	76.7%	23.3%
<b>Employment Status*</b>		
Working	78.5%	21.5%
Retired	85.5%	14.5%
Unemployed	71.4%	28.6%
Homemaker	93.3%	6.7%
Student	80.0%	20.0%
Disabled/Unable to Work	89.3%	10.7%
<b>Ideology*</b>		
Liberal	75.0%	25.0%
Moderate	86.6%	13.4%
Conservative	77.9%	22.1%
<b>Age<sup>n.s.</sup></b>		
18-25 years	86.7%	13.3%
26-38 years	79.1%	20.9%
39-52 years	76.1%	23.9%
53-65 years	83.1%	16.9%
65+ years	86.0%	14.0%
<b>Race<sup>n.s.</sup></b>		
White	81.5%	18.5%
Nonwhite	79.3%	20.7%

Note: N= 696; Cell entries are row percentages.

\*\*\*p<.01; \*\*p<.05; \*p<.10. <sup>n.s.</sup> Not significant at conventional levels

Source: 2003 Oregon Annual Social Indicators Survey.

**Table 1. (continued)**

	<b>Prefer Vote by Mail</b>	<b>Prefer Polling Place</b>
<b>Level of Education <sup>n.s.</sup></b>		
Less than High School	88.6%	11.4%
H.S. Diploma	84.8%	15.2%
Some College	80.1%	19.9%
College Degree	79.5%	20.5%
Advanced Degree	75.6%	24.4%
<b>Locale <sup>n.s.</sup></b>		
Urban	80.2%	19.8%
Suburban	81.3%	18.7%
Rural	81.3%	18.7%
<b>Income <sup>n.s.</sup></b>		
Less than \$18,000	81.1%	18.9%
\$18,000-\$25,000	84.4%	15.6%
\$26,000-\$40,000	83.7%	16.3%
\$41,000-\$70,000	80.8%	19.2%
\$71,000-\$100,000	78.0%	22.0%
Over \$100,000	77.0%	23.0%

**Note:** N= 696; Cell entries are row percentages.

**\*\*\*p<.01; \*\*p<.05; \*p<.10. <sup>n.s.</sup> Not significant at conventional levels**

**Source:** 2003 *Oregon Annual Social Indicators Survey.*

### **Effect of Vote by Mail on Turnout**

This survey question, of course, only deals with preference, and it is equally important to determine if these preferences have any effect on subsequent voting behavior. Table 2 provides a bivariate analysis of the respondents' view on whether they had voted "more often," "less often," or "about the same" since Oregon started conducting vote by mail elections. A clear majority of the respondents indicated that their level of participation stayed at the same level under vote by mail as it had been when elections were held at the polling place. Only a small percentage, 4.1%, said they voted less often. For women, their preference for vote by mail was also reflected in their perception that they voted more often as a result. Younger voters, in the 26-38 year range, as well as moderates and those who were either disabled, retired, or a homemaker, also indicated that they voted more often under vote by mail. In this analysis, we also included measures of reported vote in various races at the national and state level, but there was no discernible difference with regard to partisan identification or candidate preferences.

[Insert Table 2 about here]



**Table 2. Self-Reported Effects of Vote by Mail on Frequency of Voting**

	<b>Vote More Often</b>	<b>Vote About the Same</b>	<b>Vote Less Often</b>
<b>Entire Sample</b>	<b>29.3%</b>	<b>66.6%</b>	<b>4.1%</b>
<b>Gender**</b>			
Male	23.3%	72.8%	3.9%
Female	32.9%	62.7%	4.3%
<b>Age***</b>			
18-25 years	34.1%	56.1%	9.8%
26-38 years	44.4%	51.9%	3.7%
39-52 years	30.1%	63.3%	6.6%
53-65 years	21.3%	75.5%	3.2%
65+ years	21.3%	78.7%	0.0%
<b>Employment Status***</b>			
Working	33.2%	61.6%	5.2%
Retired	14.1%	85.3%	.6%
Unemployed	15.8%	73.7%	10.5%
Homemaker	51.6%	45.2%	3.2%
Student	36.8%	63.2%	0.0%
Disabled/Unable to Work	48.3%	48.3%	3.4%
<b>Ideology<sup>n.s.</sup></b>			
Liberal	23.1%	72.3%	4.6%
Moderate	28.2%	68.1%	3.7%
Conservative	26.7%	64.4%	8.9%
<b>Party Identification <sup>n.s.</sup></b>			
Democrat	32.2%	63.1%	4.7%
Independent	24.9%	73.1%	2.1%
Republican	28.8%	67.3%	3.9%

Note: N= 673; Cell entries are row percentages.

\*\*\*p<.01; \*\*p<.05; \*p<.10. <sup>n.s.</sup> Not significant at conventional levels

Source: 2003 Oregon Annual Social Indicators Survey.

**Table 3. (continued)**

	<b>Vote More Often</b>	<b>Vote About the Same</b>	<b>Vote Less Often</b>
<b>Presidential Vote (2000) <sup>n.s</sup></b>			
Bush	26.4%	69.9%	3.8%
Gore	30.9%	66.1%	3.0%
Nader	32.0%	60.0%	8.0%
<b>Gubernatorial Vote(2002) <sup>n.s</sup></b>			
Republican Candidate	30.5%	66.1%	3.4%
Democratic Candidate	25.9%	72.4%	1.7%
<b>Senatorial Vote (2002) <sup>n.s</sup></b>			
Republican Candidate	30.3%	67.6%	2.1%
Democratic Candidate	26.2%	70.3%	3.4%
<b>Race <sup>n.s.</sup></b>			
White	29.6%	66.8%	3.6%
Nonwhite	27.1%	66.1%	6.8%
<b>Level of Education <sup>n.s.</sup></b>			
Less than High School	34.9%	60.5%	4.7%
H.S. Diploma	31.4%	65.0%	3.6%
Some College	31.0%	64.3%	4.7%
College Degree	28.9%	66.4%	4.6%
Advanced Degree	19.5%	79.2%	1.3%
<b>Locale <sup>n.s.</sup></b>			
Urban	26.9%	69.2%	3.8%
Suburban	34.5%	63.2%	2.2%
Rural	26.8%	67.5%	5.7%
<b>Income <sup>n.s.</sup></b>			
Less than \$18,000	35.1%	58.1%	6.8%
\$18,000-\$25,000	35.4%	63.1%	1.5%
\$26,000-\$40,000	28.6%	68.6%	2.9%
\$41,000-\$70,000	28.3%	69.4%	2.3%
\$71,000-\$100,000	28.0%	63.0%	9.0%
Over \$100,000	30.6%	66.1%	3.2%

Source: *Oregon Annual Social Indicators Survey 2002-2003.*

Note: Cell entries are row percentages.

\*\*\*p<.01; \*\*p<.05; \*p<.10. <sup>n.s</sup> Not significant at conventional levels

## **Conclusions**

It appears that voters in Oregon have retained their initial attachment to vote by mail, and this support varies only slightly across demographic and partisan groups with the electorate. A majority of all subcategories favor vote by mail over the more traditional polling place. The consequences of vote by mail on the nature of the electorate is one of the most hotly debated aspects of this electoral reform, but this survey suggests that neither of the two major parties have much to lose or gain from vote by mail. Instead, the groups that reported that they vote more often under vote by mail are simply a set of individuals -- women, young people, and the disabled and retirees -- who have found it more convenient to vote under a system that does not require them to be physically present on "the first Tuesday after the first Monday."

## Appendix. Coding of Variables for Analysis

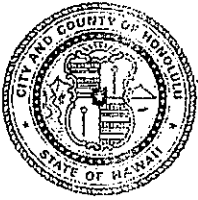
Variable	Coding
Voting since Vote by Mail	<p>“The State of Oregon began using an all mail format for some of its elections in 1981. Since 2000 Oregon has used vote by mail for all of its elections. Since Oregon started vote by mail, have you voted more often, less often, or about the same?”</p> <p>Dummy variable created for voted more often. (1, otherwise 0)</p>
Preference for Election Type	<p>“Which type of election do you prefer – vote by mail or polling place?”</p> <p>Dummy variable created for vote by mail. 1, otherwise 0)</p>
Gender (Female)	1 if female; 0 if male
Age	Actual age (18-96 or older)
Partisanship	<p>“Do you consider yourself to be a Democrat, Republican, Independent, or some other party?”</p> <p>Dummy variables created for each category.</p>
Employment Status	<p>“Are you currently working for pay, either full or part time?” If no, “Are you retired, looking for work, keeping house, taking classes, disabled, or something else?”</p> <p>Dummy variables created for each category.</p>
Locale or a	<p>“Do you live in an urban area, a suburban area, rural area?”</p> <p>Dummy variables created for each category.</p>
Race (Nonwhite)	1 if nonwhite/non-Caucasian; 0 if white or Caucasian
Education	<p>1 = Less than high school</p> <p>2 = High school diploma</p> <p>3 = Some college or A.A. or A.S.</p> <p>4 = B.A. or B.S.</p> <p>5 = Advanced degree</p>

**Appendix. (continued)**

<b>Variable</b>	<b>Coding</b>
<b>Income</b>	<b>1 = Less than \$18,000 2 = \$18,000 - \$25,000 3 = \$25,001 - \$40,000 4 = \$40,001 - \$70,000 5 = \$70,001 - \$100,000 6 = Over \$100,000</b>
<b>Ideology</b>	<b>“When it comes to politics, do you think of yourself as conservative, moderate or middle of the road, or liberal?” Dummy variables created for each category.</b>
<b>Vote for Governor 2002</b>	<b>“Thinking back to the November election, for whom did you vote in the governor’s race? Dummy variables created for each category.</b>
<b>Vote for Senate 2002</b>	<b>For whom did you vote in the U.S. Senate race?</b>
<b>Vote for President 2001</b>	<b>For whom did you vote in the 2000 presidential race?</b>

## References

- Berinsky, Adam, Nancy Burns, and Michael W. Traugott. 2001. "Who Votes by Mail? A Dynamic Model of the Individual-Level Consequences of Voting-by-Mail Systems." *Public Opinion Quarterly* 65: 178-197.
- Jeffe, Douglas and Sherry B. Jeffe. 1990. "Absence Counts: Voting by Mail" *The American Enterprise* 1: 19-21.
- Magleby, David. 1987. "Participation in Mail Ballot Elections." *Western Political Quarterly* 40: 79-82.
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- Secretary of State, State of Oregon. 1995. "Oregon's Special Senate Election," November 11.
- Southwell, Priscilla L. and Justin Burchett. 1997. "Survey of Vote-by-Mail Senate Election in the State of Oregon," *PS: Political Science and Politics* 91: 53-57.
- Traugott, Michael. W. 1996. *Report on the Characteristics of the Oregon Electorate Participating in the Special General Election for the U.S. Senate on January 30, 1996*. Ann Arbor, MI: Institute for Social Research.



**ELECTIONS**  
OFFICE OF THE CITY CLERK  
530 SOUTH KING STREET, ROOM 100  
HONOLULU, HAWAII 96813-3099  
TELEPHONE: (808) 768-3800 · FAX: (808) 768-3835

## **LATE TESTIMONY**

**BERNICE K.N. MAU**  
City Clerk

COMMENTS ON HB 100  
RELATING TO VOTING  
Committee on Judiciary  
Rm. 325  
2:00 February 1, 2011

Chair Keith-Agaran and Committee Members:

The Office of the City Clerk provides comments on HB 100 but takes no position on the issue of whether Hawaii's regularly scheduled elections should be conducted utilizing a vote by mail election scheme.

We attach for your information, Hawaii Administrative Rules Subtitle 13, Chapter 175. We believe that it provides a practical and fair scheme for implementing vote by mail elections. The 2010 Congressional District I special election and District I Honolulu City Council special election were both implemented under this Chapter and two previous 2009 Honolulu City Council special elections were also implemented using similar procedures.

We highlight for Committee discussion the question of whether return ballot postage should be provided if alternatives such as drop off boxes/locations are established. The cost of return postage for the 2010 primary election would have been in excess of \$128,000 under this bill.

We also recommend an equitable cost sharing formula of election expenses (between State and County agencies charged with implementation of vote by mail elections) that takes into consideration the various vote by mail costs such as staffing, mailing service, postage, etc..

Finally, an appropriation in this bill is absolutely necessary to: develop a statewide signature image database and collect voter signature images; procure incoming mail scanning/sorting machines; and procure other equipment for handling the anticipated 300,000 vote by mail envelopes and ballots that could be returned in a regular Primary Election.

HAWAII ADMINISTRATIVE RULES

TITLE 3

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

SUBTITLE 13 OFFICE OF ELECTIONS

CHAPTER 175

ELECTIONS BY MAIL

- \$3-175-1 Purpose; general applicability.
- \$3-175-2 Proclamation.
- \$3-175-3 Board of Registration.
- \$3-175-4 Ballot packet; contents.
- \$3-175-5 Mailing of ballots; date
- \$3-175-6 Absentee polling place.
- \$3-175-7 Voter procedure.
- \$3-175-8 Return of ballots; postage.
- \$3-175-9 Ballot collection sites; private collection sites prohibited.
- \$3-175-10 Ballot cast upon receipt; replacement ballot.
- \$3-175-11 Submittal of ballots; deadline.
- \$3-175-12 Extension of deadline for receiving ballots.
- \$3-175-13 Verification of affirmation signatures.
- \$3-175-14 Processing and tabulation of ballots.
- \$3-175-15 Receipt and disposition of late ballots.
- \$3-175-16 Deadlines for all-mail elections.

\$3-175-1 Purpose; general applicability. The purpose of these administrative rules is to provide for consistency in the administration of elections by mail. Unless the context indicates otherwise, and where not inconsistent, and to the extent practicable, statutory provisions and administrative rules pertaining to regular elections shall be applicable elections by mail. [Eff **JAN 09 2010** (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)]



§3-175-2 Proclamation. For any federal, state, or county election held other than on the date of a regularly scheduled primary or general election, the chief election officer or clerk, in the case of county elections, shall issue an election proclamation to announce an election administered by mail. The proclamation shall set forth the date of the election, location and hours of operation of the absentee polling place or places, anticipated ballot mailing date, ballot return deadline, and other information for voters. [Eff. **JAN 09 2010** (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)]

§3-175-3 Board of Registration. The board of registration shall not be required to convene on election day for an election administered by mail. [Eff. **JAN 09 2010** (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)]

§3-175-4 Ballot packet; contents. The chief election officer or clerk shall provide the voter with a ballot, secrecy envelope, return envelope, and any other pertinent information. The return envelope shall contain an affirmation statement that is substantially similar to the affirmation statement required on absentee mail voting materials. [Eff. **JAN 09 2010** (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)]

§3-175-5 Mailing of Ballots; date. Vote by mail ballot packets shall be sent by non-forwardable mail to all active registered voters in the general county registry as of the closing of the general county registry specified in HRS §11-24. Vote by mail ballot packets may be mailed out in accordance with any schedule stated in the election proclamation. To the extent a constitutional, charter, statutory, ballot production, logistical, or other basis exists for modifying the schedule, the schedule may be modified. The chief election officer or clerk may mail a ballot to voters transferring voter registration after the closing of the registry. Voters who are unable to receive election mail at the address listed in the general county registry shall be responsible for requesting an absentee

ballot or voting at the absentee polling place.  
[Eff JAN 09 2010] (Auth: HRS §§11-4, 11-91.5) (Imp: HRS  
§§11-4, 11-91.5)

§3-175-6 Absentee polling place. The chief election officer or clerk in the case of county elections shall establish at least one absentee polling place for servicing voters requiring the use of an accessible voting device.  
[Eff JAN 09 2010] (Auth: HRS §§11-4, 11-91.5) (Imp: HRS  
§§11-4, 11-91.5)

§3-175-7 Voter procedure. When a voter receives the vote by mail materials, the voter shall comply with all written instructions provided, mark the ballot, sign the affirmation statement on the return envelope, and return the ballot by placing the ballot in the return envelope provided by depositing the envelope in the United States mail or delivering the sealed envelope to the election office or ballot collection site. [Eff JAN 09 2010] (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)

§3-175-8 Return of ballots; postage. If not provided by the election office, ballot return postage shall be borne by the voter. The chief election officer or clerk shall inform voters of the required amount of return postage to ensure proper delivery and of other options for the return of the ballot. [Eff JAN 09 2010] (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)

§3-175-9 Ballot collection sites; private collection sites prohibited. The chief election officer or clerk may establish ballot collection sites in addition to the county clerk's office for receiving voted ballots. Ballot collection sites for returned ballots shall be established if return postage is not borne by the election office.

It shall be unlawful for any person other than the chief election officer or clerk to establish a ballot collection site.

[Eff JAN 09 2010] (Auth: HRS §§11-4, 11-91.5) (Imp: HRS

§§11-4, 11-91.5)

§3-175-10 Ballot cast upon receipt; replacement ballot. A ballot contained in a properly signed return envelope that has been received by the chief election officer or county clerk shall be considered cast and may not be recast for any reason. As such, a voter may not request back a ballot or seek to cancel it, after it has been received by the chief election officer or county clerk.

A voter may receive a replacement ballot if the original ballot is destroyed, spoiled, lost, or not received by the voter. A replacement ballot need not be mailed within five days of the election. [Eff **JAN 09 2010** (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)]

§3-175-11 Submittal of ballots; deadline. The voted ballot shall be returned in the provided return envelope. All voted ballots must be received by the Chief election officer or Clerk in the case of county elections by 6:00 p.m. on election day in order to be counted. [Eff **JAN 09 2010** (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5, 11-131)]

§3-175-12 Extension of deadline for receiving ballots. In the event of a flood, tsunami, earthquake, volcanic eruption, other natural disaster, or other emergency condition, the Governor by written proclamation may extend the deadline for returning ballots for a period of not more than seven days in any state or county election if the Governor receives a written request for the extension from the chief election officer or county clerk. The chief election officer or clerk may request the Governor to extend the deadline for returning ballots under this section if the natural event or disaster makes it impossible or impracticable for voters to return ballots by 6:00 p.m. due to the emergency. [Eff **JAN 09 2010** (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5, 128-9)]

§3-175-13 Verification of affirmation signatures.

Prior to opening the return and ballot envelopes, the signatures on the return envelopes shall be verified with signatures contained on the voter registration affidavit, absentee ballot application, or other reliable source document available to the chief election officer or clerk.

Envelopes with verified affirmation signatures shall be forwarded for processing and tabulation. If the elections office identifies return envelopes where two members of a household signed the other's return envelope, if both signatures are verified, both envelopes may be forwarded for processing and tabulation.

Up to four days prior to the election:

1) Return envelopes that do not contain the required signature on the affirmation statement may be returned to voters for execution and re-submittal by the ballot return deadline.

2) Return envelopes with non-matching signatures shall be segregated and the chief election officer or clerk may attempt to contact the voter to update the signature record on file in the election office. The contacted voter shall be required to appear personally to update the signature record not later than 6:00 p.m. election day for the ballot to be counted.

Within three days of the election, attempts may be made to contact the respective voter to correct the error or deficiency. However, any return envelopes with missing or non-matching signatures that were not updated as of 6:00 p.m. election day shall be invalidated and placed in the invalid ballot box. [Eff. JAN 09 2010] (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)

§3-175-14 Processing and tabulation of ballots. If the requirements of §3-175-13 are met, at the discretion of the chief election officer or clerk, the return and ballot envelopes may be opened and ballots tabulated within seven days prior to the election day. In no case, however, shall the elections results become publicly known before 6:00 p.m. election day. [Eff. JAN 09 2010] (Auth: HRS §§11-4, 11-91.5) (Imp: HRS §§11-4, 11-91.5)

175-6

175-6

S3-175-15 Receipt and disposition of late ballots. Any return envelopes containing vote by mail ballots received after the deadline shall be kept unopened and disposed of pursuant to HRS §11-154. [Eff: JAN 09 2010] (Imp: HRS §11-4, 11-91.5)

S3-175-16 Deadlines for all-mail elections. All deadlines of 6:00 p.m. in chapter 175 are based on the prescribed hour for the closing of polls found in HRS §11-131. To the extent that statutory time is ever changed, all references to 6:00 p.m. will be treated as changed to the new statutory time for the closing of polls. [Eff: JAN 09 2010] (Auth: HRS §11-4, 11-91.5) (Imp: HRS §11-4, 11-91.5, 11-131)



Tuesday, February 1, 2011  
State Capitol Room 325

HB 100 Relating to Voting

## LATE TESTIMONY

To: House Committee on Judiciary  
Representative Keith-Agaran, Chair  
Representative Rhoads, Vice Chair

Testimony of: Debi Hartmann  
Executive Director  
Democratic Party of Hawai'i

My name is Debi Hartmann, Executive Director for the Democratic Party of Hawai'i. Dante Carpenter, our Chair, and I had the privilege of serving as Observers in the Special Primary Election for the replacement of the U.S House of Representative seat vacated by our current Governor Abercrombie. That particular election process was an all-mail-in ballot election.

Our experience and observations lead the Chair and me to lend our support to the intent of this bill, while at the same time ask for clarification and point out a few concerns in HB 100.

1. Page 3, Line 6 – The bill speaks to “one precinct on each island to be open on primary election day to provide walk-in voting and to receive ballots.”
  - a. We recommend one precinct per House District. We make this recommendation based on the geography of each Island. If you take the Big Island for example it is an extreme hardship to ask someone from South Kona to drive to Hilo or vice versa. I think you can picture our concern.
2. On the same page, line 16, we would suggest that mail-out ballots should have a (21) twenty-one day turn around rather than 18-14 days. This would keep it consistent with everyone who receives a mailed ballot.
3. Page 6, Line 18, speaks to the counting of ballots. We recommend that the outside of the envelope contain the precinct and district for counting and accurate data processing.
  - a. It has been difficult in the past to know how many have voted in any given precinct and district by mail-in versus walk-in by precinct. We are constantly asked to participate in national data collection for statistical purposes yet we are unable to do so due to a lack of

DEMOCRATIC PARTY OF HAWAII

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ability to collect accurate data. We must always go through mathematical gyrations realizing it is an estimate.

4. Page 10, line 5, removal of names from the voter files. This is for clarification purposes. Are we correct in understanding that after two election cycles of both primary and general if a person has not voted their name is REMOVED FROM THE VOTER FILE?
5. Page 12 line 11, this is a restatement of our number one (1) concern as noted above as it appears twice in HB 100.

Thank you in advance for your attention to our concerns and clarifying areas we were not sure we fully understood.

# LATE TESTIMONY

Representative Gilbert Keith-Agaran, Chair  
Representative Karl Rhoads, Vice-Chair  
Judiciary Committee

House of Representatives of the State of Hawai'i

Lance D. Collins, Ph.D  
Law Office of Lance D Collins

Tuesday, February 1, 2011  
Support HB No. 100, Relating to Voting

My name is Lance D. Collins. I am an attorney in private practice on the island of Maui and testify on my own behalf. I support this bill.

This should be the first step in a two step process of moving all voting towards a mail-in system.

Thank you for this opportunity to provide testimony on this measure.

Mahalo.

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## LATE TESTIMONY

House JUD Committee  
Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads

Tuesday 2/1/11 at 2:00 PM in Room 325  
HB 100 – Voting by Mail

### TESTIMONY

Nikki Love, Executive Director, Common Cause Hawaii

Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members:

**Common Cause Hawaii supports HB 100**, which would establish voting by mail for primary elections.

Voter turnout has been very sluggish in recent elections, and turnout is particularly low in primary elections. We believe this measure would make voting easier for citizens and help improve voter participation.

To ensure the integrity, security, and accessibility of the process, we recommend that the legislature, Office of Elections, and county clerks ensure that we are incorporating best practices learned from other states regarding voting by mail. We would be happy to assist with this research.

In addition, we suggest same day voter registration to help bring down barriers to voting. In an election conducted by mail, same day registration could be made available at the walk-in locations.

Mahalo for the opportunity to submit testimony.