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LEGISLATIVE REFERENCE BUREAU  
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## Written Comments

### **HCR136 REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE THE DIFFERENT TYPES OF CLOSED PRIMARIES CONDUCTED BY OTHER STATES AND THE CORRESPONDING EFFECT ON VOTER TURNOUT**

Comments by the Legislative Reference Bureau  
Charlotte A. Carter-Yamauchi, Acting Director

Presented to the House Committee on Judiciary

Thursday, March 31, 2010, 2:00 p.m.  
Conference Room 325

Chair Keith-Agaran and Members of the Committee:

I am Charlotte Carter-Yamauchi, Acting Director of the Legislative Reference Bureau. The Bureau appreciates this opportunity to submit the following written comments on House Concurrent Resolution No. 136:

House Concurrent Resolution No. 136 directs the Bureau to "conduct a study to determine the types of closed primary elections conducted by other states and the corresponding effect, if any, on voter turnout in those jurisdictions."

While the Bureau takes no position on the merits of the measure, we wish to note a concern with the scope of the study as described under the measure.

The Bureau can research and report objective information on the different types of closed primary elections conducted in other states, and the voter turnouts in those respective states. However, one component of the requested study is particularly problematic — and that is the provision calling for a determination of a "corresponding effect" (if any) that a type of closed primary election has on voter turnout."

Generally speaking, voter turnout is likely affected by a myriad of factors (including offices contested, interest in candidates, convenience of polling places, not to mention weather on a given day) of which the structure of the primary is only one. As such, it would appear that the only way to objectively test for the causal effect of the type of closed primary election would be for a state to operate different types of closed primary elections for the

same election. In addition, if a state or jurisdiction has been conducting closed primary elections over a long period of time, it would be extremely difficult to determine if the closed primary election format was the sole reason for the state or jurisdiction's current voter participation record.

Under the circumstances, the best the Bureau could do would be to attempt to find articles, reports, or studies that attempt to analyze the effects of specified types of closed primaries on voter turnout and report those findings, if any.

Thank you for this opportunity to provide written comments on this measure. If you have any questions, please do not hesitate to contact the Bureau at 587-0666.

# **hawaii family forum**

Email to: [JUDTestimony@Capitol.hawaii.gov](mailto:JUDTestimony@Capitol.hawaii.gov)  
Hearing on: Thursday, March 31, 2011 @ 2:00 p.m.  
Conference Room #325

**DATE:** March 29, 2011

**TO:** House Committee on Judiciary  
Representative Gilbert Keith-Agaran, Chair  
Representative Karl Rhoades, Vice Chair

**FROM:** Allen Cardines, Jr., Executive Director

**RE:** OPPOSITION to HCR 136 / HR 116 | REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY TO DETERMINE THE DIFFERENT TYPES OF CLOSED PRIMARIES CONDUCTED BY OTHER STATES AND THE CORRESPONDING EFFECT ON VOTER TURNOUT

Mahalo for the opportunity to testify in opposition to this resolution. I am Allen Cardines, **representing the Hawaii Family Forum**. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, representing a network of various Christian Churches and denominations.

Hawaii Family Forum opposes House Concurrent Resolution 136 and House Resolution 116 requesting the Legislative Reference Bureau to conduct a study to determine the different types of closed primaries conducted by other states and the corresponding effect on voter turnout.

Hawaii's open primary system encourages voter participation because it does not require primary voters to register as party members prior to receiving and casting their votes through a primary ballot. Requiring voters to publicly register their party preference may cause many voters to refrain from participating in primary elections for fear of verbal or economic retaliation from partisans of another political party who learn from public records which voters have registered as members of an opposing political party.

Holding closed primaries will also likely increase the administrative expense of elections because the Office of Elections and poll workers will need to enforce the additional requirement that voters vote only in the primary of the political party to which they belong as registered members of the party.

Hawaii's primary system is not broken. In fact, it is working quite well. In this time of budget shortfalls, the LRB should not be tasked with studying a bad idea, namely closed primaries. We have one of the lowest voter turnouts in the nation. This is not the way to go to increase voter participation.

We therefore ask the Committee to hold HCR 136 and HR 116. Mahalo for the opportunity to testify.

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