



**STATE OF HAWAII
OFFICE OF ELECTIONS**

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SCOTT T. NAGO
CHIEF ELECTION OFFICER

**TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON JUDICIARY
ON HOUSE BILL NO. 100
RELATING TO VOTING**

February 1, 2011

Chair Keith-Agaran and members of the House Committee on Judiciary, thank you for the opportunity to testify on House Bill No. 100. The purpose of this bill is to establish an election by mail program to be utilized as the principal means of casting a ballot in primary and special primary elections.

The Office of Elections takes no position on this bill. It recognizes that this is a policy issue for the Legislature. In regards to technical matters, the Office of Elections notes that the current voting system contract will need to be amended to accommodate the additional machinery necessary to process and count the mail ballots.

In terms of cost sharing with the counties for federal/state/county combined elections, these are generally split between the state and counties with certain costs being solely that of the state or the counties. HRS § 11-184. Among these costs is the absentee mail and walk in voting, which is a county responsibility, and paid for by the counties. To the extent, the proposed election by mail program would be the responsibility of the state, a new cost sharing arrangement would need to be arrived at to equitably divide the costs for the running of elections. In the alternative, the Office of Elections' budget would need to be increased significantly to accommodate this change to a new election model.

Thank you for the opportunity to testify on House Bill No. 100.



DISABILITY AND COMMUNICATION ACCESS BOARD

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February 1, 2011

TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

House Bill 100 – Relating to Elections

The Disability and Communication Access Board (DCAB) supports House Bill 100 that establishes an election by mail voting system for federal, state, and county primary or special primary elections; creates procedure and process for this method of voting; and includes an unspecified appropriation to carry out the purpose of the bill.

All mail elections provide an alternative means to conduct elections that will also decrease the cost of conducting an election in approximately three hundred (300) polling places statewide. The State of Oregon approved a test of vote-by-mail (VBM) in 1981 for local elections, and expanded to include a totally VBM primary in 1995. VBM was expanded in November 1998 for primary and general elections. In Oregon, the November 2000 first VBM Presidential General election resulted in a seventy nine percent (79%) turnout. Attached is a fact sheet with information related to VBM in Oregon.

A VBM election allows individuals with disabilities added time to vote, as well as privacy, and the ability to make their own accommodation regarding how to complete the ballot. This offers a voter with a disability an equal opportunity to vote independently and in an environment comfortable for the voter. If the voter requires assistance, he or she can call the Office of Elections or the County Clerk's Office to request further assistance with voting. In addition, accessible walk-in absentee voting can still be offered prior to an election. The overall cost reduction associated with conducting a VBM election is another benefit to consider.

Also included in the bill is an unspecified appropriation for each year of the biennium to conduct VBM elections. DCAB defers comment regarding the fiscal implications of this measure.

Thank you for the opportunity to testify.

Respectfully submitted,

FRANCINE WAI
Executive Director

State of Oregon

A Brief History of Vote by Mail

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| 1981 | The Oregon Legislature approves a test of vote by mail (VBM) for local elections. |
| 1987 | VBM made permanent; majority of counties use it for local/special elections. |
| June 1993 | First special statewide election by mail – 39 percent turnout. |
| May 1995 | Second special statewide election by mail – 44 percent turnout. |
| Spring/Summer 1995 | The Oregon Legislature approves a proposal to expand VBM to primary and general elections. The Governor vetoes the bill. |
| December 1995 | Oregon becomes the first state to conduct a primary election totally by mail to nominate candidates to fill a vacancy in a federal office – 58 percent turnout. |
| January 1996 | Oregon becomes the first state to conduct a general election totally by mail to fill a vacancy in a federal office when it selects Senator Ron Wyden to replace Bob Packwood – 66 percent turnout. |
| March 1996 | Oregon holds the country's second VBM presidential primary. (The first VBM presidential primary was held by North Dakota, just weeks prior to Oregon's election.) – 58 percent turnout. |
| May 1997 | Sixth special statewide election by mail – 42 percent turnout. |
| Spring/Summer 1997 | The Oregon House of Representatives approves a proposal to expand VBM to primary and general elections. The bill dies in a Senate committee. The Governor would have signed the bill into law. |
| November 1997 | Seventh special statewide election by mail – 60 percent turnout. |
| May 1998 | Primary election at the polls. Forty-one percent of registered voters in Oregon are permanent absentee voters. Overall, the state posts a record low turnout at 35 percent. Absentee ballots represent nearly two-thirds of all ballots cast; Oregon becomes the first state to have more ballots cast by mail than at the polls during a polling place election. Absentee voter turnout was 53 percent, compared to a turnout at the polls of 22 percent. |
| June 1998 | Supporters of expanding VBM to primary and general elections use the initiative to put the issue on the November general election ballot. No paid signature gatherers were used to put the measure on the ballot – a first since 1994. |

November 3, 1998	Oregon voters decide to expand VBM to primary and general elections by a vote of 757,204 to 334,021.
November 2, 1999	Eighth special statewide election by mail - 38 percent turnout.
May 2000	Presidential Primary election VBM - 51 percent turnout.
November 2000	First VBM Presidential General election - 79 percent turnout.
May 2002	Primary election VBM - 46 percent turnout.
September 2002	Special election for two statewide measures VBM - 44 percent turnout.
November 2002	General election VBM - 69 percent turnout.
January 2003	Special election for a statewide measure VBM - 66 percent turnout.
September 2003	Special election for a statewide measure VBM - 35 percent turnout.
February 2004	Special election for a statewide measure VBM - 63 percent turnout.
May 2004	Presidential Primary election VBM - 46 percent turnout.
November 2004	Presidential General election VBM. Voter registration exceeds 2 million - 86 percent turnout.
May 2006	Primary election VBM - 38 percent turnout.
November 2006	General election VBM - 70 percent turnout.

Testimony in support of
HB100
RELATING TO VOTING
by Al Lardizabal, Director of Government Relations
Hawaii Laborers' Union

To the Committee on Judiciary
Tuesday, February 1, 2011
Room 325, 2:00 p.m.
State Capitol

Representative Gilbert S. C. Keith-Agaran, Chair; Representative Karl Rhoads, Vice
Chair and Members of the Committee:

On behalf of Mr. Peter Ganaban, Business Manager, the officers and members of the
Hawaii Laborers' Union, we fully support the establishment of an election by mail voting
system for federal, state and county primary or special primary elections.

The number of voters who prefer to vote by mail has been increasing since 1992 at nine
percent to forty-four percent in the 2010 primary election. Clearly, voters prefer this
method because of the convenience and privacy it offers.

We have several thousand members throughout the state, who are in the construction,
landscaping and grounds maintenance industry. Very often, it is not convenient or easy
for the members to leave their job site, even though they have the right to take time to
vote, due to the on-going construction work or remote project sites. Having the
opportunity to vote by mail, would encourage more members to do so.

Thank you for the opportunity to submit this testimony.



AMERICANS FOR DEMOCRATIC ACTION

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January 29, 2011

TO: Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads
Members of the House Committee on Judiciary

FROM: Americans for Democratic Action/Hawaii
Barbara Polk, Legislative Chair

TESTIMONY IN SUPPORT OF HB 100 RELATING TO VOTING

Americans for Democratic Action/Hawaii supports HB 100, which would permit elections for federal, state or country primary elections and special primary elections to be conducted primarily by mail. We strongly support measures that will increase voter participation in Hawaii. Other states have found that vote-by-mail does increase participation. Procedures are already in place for mail-in voting for absentee ballots, and they already account for a high percentage of votes cast.

We would call your attention to the wording "special primary elections." Since special elections do not usually have primaries, but usually have even lower voter turn-out than primary elections, we suggest that you eliminate the word "primary" from that phrase and amend the bill to make "special elections" among those eligible for election by mail.

We urge you to pass this bill. Thank you for the opportunity to testify.