

HB 1754, HD1



**STATE OF HAWAII
OFFICE OF ELECTIONS**

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**TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR
ON HOUSE BILL NO. 1754, HD 1
RELATING TO ELECTIONS**

March 13, 2012

Chair Hee and members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to testify in support of House Bill No. 1754, HD 1. The purpose of this bill is to allow for the mailing of absentee ballots to all registered voters residing in areas, due to reapportionment, which are significantly smaller in population than normally associated with the justification and establishment of a polling place.

In 2011, the Hawaii State Reapportionment Commission and the Redistricting Commissions for the County of Hawaii and the City and County of Honolulu convened to develop new boundaries based on the last decennial census. In a normal reapportionment year, attempts are made, to the extent possible, to have boundaries line up with each other, so as to avoid areas being unnecessarily divided up on the basis of county council, state representative, state senator, and congressional lines. However, at times small population pockets will occur that will each need to have their own unique ballot type developed. A ballot type contains the specific contests, questions, or issues that voters who reside in a specific area are entitled to vote on.

This reapportionment year, we expect that the ability to keep to a minimum the amount of small population pockets that require their own ballot type will be difficult to know or control. Specifically, because the 2011 Reapportionment Plan for the House of Representatives and Senate had been invalidated by the Hawaii Supreme Court and with the quickly approaching Primary Election, the Reapportionment Commission only had a limited amount of time to redraft the plan. As such, without sufficient time, the Reapportionment Commission may not have been able to have boundaries line up with each other,

so as to avoid areas being unnecessarily divided up on the basis of county council, state representative, state senator, and congressional lines.

Additionally, even if the Reapportionment Commission had the time to make these attempts, the unique configuration of the various state, county, and federal lines, might make it inevitable that there will be small population pockets that will each need to have their own unique ballot type developed.

As the reapportionment plan was just filed on March 8, 2012 with the Office of Elections, we are currently proceeding with the precincting process. We expect it will take three months to finish the precincting process and to produce the corresponding precinct maps. This is based on our prior experience with the the 2001 Reapportionment Plan, which was adopted on November 30, 2001, and the precincting process was completed by the end of February. Until the precincting process is done, we will not know how many precincts may have under 500 registered voters.

The 2010 General Election, based on the 2001 Reapportionment Plan, involved 242 polling places. These polling places ranged in size from 188 to 6,000 registered voters. The average polling place is typically within the range of 2,500 to 3,000 registered voters. The present bill refers to population pockets of less than 500 registered voters that would require their own ballot type. Based on the 2010 General Election, the impacted polling places, would have been the following:

- District/Precinct 03/02 - Hale Aloha Nazarene School;
- District/Precinct 25/03 – St. Clement's Episcopal Church;
- District/Precinct 30/03 - Moanalua Elementary School; and
- District/Precinct 36/04 - Leeward Community College.

Given the small amount of voters that may be in each of these possible pocket precincts and the financial resources and personnel required to establish and operate a polling place, the purpose of this bill is to permit the mailing of absentee ballots to all registered voters in these impacted areas, in lieu of the operation of polling places. Additionally, voters in these impacted areas will still retain the ability, in lieu of utilizing the absentee mail ballot, to vote in person at absentee walk locations that are opened at least ten working days prior to each election.

Thank you for the opportunity to testify in support of House Bill No. 1754, HD 1.

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**TESTIMONY OF
JADE K. FOUNTAIN-TANIGAWA
DEPUTY COUNTY CLERK, COUNTY OF KAUA'Ī
TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR
ON HOUSE BILL NO. 1754, HD1
RELATING TO ELECTIONS**

March 13, 2012

Chair Hee and Committee Members:

Thank you for the opportunity to provide testimony in support of House Bill No. 1754, HD1. The purpose of this bill is to permit the county clerk to mail an absentee ballot to each registered voter who resides in a population pocket of less than five-hundred voters which requires its own unique ballot type. A ballot type contains a unique combination of contests, and ballot questions or issues that only voters in a specific district are entitled to vote on.

This bill offers a sensible solution to an unintended and unfortunate consequence of the reapportionment process. While considerable effort is made to establish simple, straightforward voting districts, oftentimes populations are distributed such that voting district boundaries required for federal, state and county elections cannot precisely overlay one another. The resulting deviation between district boundaries results in population pockets consisting of a relatively small number of voters who require their own unique ballot type.

By allowing all mail voting for these population pockets, HB 1754, HD1 ensures that an equitable amount of financial and personnel resources is allocated for servicing impacted voters. We also note that voters residing in a population pocket will always have the option to cast a ballot in-person at an early voting site which is opened at least ten working days prior to each election.

Thank you for the opportunity to submit testimony in support of House Bill No. 1754, HD1.

JADE K. FOUNTAIN-TANIGAWA
Deputy County Clerk