



Tuesday, February 1, 2011
State Capitol Room 325

HB 638 Relating to Elections

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. As we reviewed HB 638 we wondered what the outcome might have been if this process had been in place at that time.

With that said, we went back to review the statistical data of the special election for Congressional District One in relationship to HB 638 and have the following observations.

1. On page 4, Line 20 and 21 speak to the candidate who is defeated in the "first-choice vote..."
 - a. What this section does not speak to is what is the line of demarcation that determines "defeat?" If you look at the CD 1 Special Election you will note that 11 candidates received less than a full percentage of the votes cast; would all 11 candidates then be considered defeated and how would this be determined? The law does not speak to any numeric calculation for the defeated determination.
2. Our second question is in the actual run-off process. Those whose first choice were in the defeated category have a second bite at the apple so to speak but the people who voted for the other candidates who remain in the running never get a second bite. How does this square with one-person, one-vote.
 - a. If the ballots are again mailed out to every voter, then every voter has the opportunity for a second vote. We want to make certain that we are honoring every voters right to have their voice/vote properly recorded.

Thank you for your attention to our concerns.

DEMOCRATIC PARTY OF HAWAII

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Testimony for JUD 2/1/2011 2:00:00 PM HB638

Conference room: 325
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Testifier will be present: No
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Comments:

Aloha Chair Keith-Agaran and members of the Committee:

It is with great excitement that I submit my testimony in support of HB 638. Our current system of voting allows minority vote gathering candidates to win an election and for the majority to be disappointed with the results.

Instant runoff would allow the voters to rank their candidates and would help to establish a majority decision. This would enable voters to more accurately express their choices in their elected representatives.

I hope that this committee will strongly support this enlightened piece of legislation.

Mahalo for considering my testimony.

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