

# **HB 92**

**Measure Title:**  
RELATING TO VOTING

**Description:**  
Provides that the ballot of an absentee or military-overseas voter is valid even if the voter becomes ineligible to vote after casting the ballot.



**STATE OF HAWAII**  
**OFFICE OF ELECTIONS**  
802 LEHUA AVENUE  
PEARL CITY, HAWAII 96782  
[www.hawaii.gov/elections](http://www.hawaii.gov/elections)

SCOTT T. NAGO  
CHIEF ELECTION OFFICER

TESTIMONY OF THE  
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS  
TO THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND  
MILITARY AFFAIRS  
ON HOUSE BILL NO. 92  
RELATING TO VOTING  
March 19, 2013

Chair Espero and members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs, thank you for the opportunity to testify in support of House Bill No. 92. The purpose of this bill is to provide that the ballot of an absentee or military-overseas voter is valid even if the voter becomes ineligible to vote after casting the ballot.

The Office of Elections recognizes that voters, who in good faith cast their ballots while eligible to vote, should have their ballots counted, even if they becomes ineligible after casting their ballots.

Thank you for the opportunity to testify on House Bill No. 92.



Testimony in Support of HB92/HSCR751  
Relating to Voting

Senate Committees on Public Safety, Intergovernmental & Military Affairs  
March 19, 2013

Aloha Senators,

Please accept this testimony in support of HB92 introduced by Representative Karl Rhoads. The need for this bill became apparent to me after the death of my father, Frank S. Tanabe. He was 93 years old, a WWII veteran having served with the U.S. Military Intelligence Service (MIS). Like many of his generation, he believed deeply in service to country, honor, and duty. In 1942, he and all Japanese-Americans were considered "enemy aliens" and incarcerated, but he was allowed to join the U.S. Army to prove his loyalty to the United States. My dad never spoke about that injustice, but taught us to be proud of our American values, especially the right to vote. He never missed voting in an election.

Dad's final vote was cast by absentee ballot on October 17. He was so weak, I had to help him with the ballot. My sister took a photo that was posted on my nephew's website. Within days, that photo received 600,000 views and was covered by news media throughout the world. Perhaps this photo of a veteran fulfilling his final duty as a citizen caused voters to look beyond the political rhetoric and understand the value of their right to vote. Dad died a week after I mailed in his ballot, two-and-a-half weeks before Election Day.

His death meant his vote would not count. Yet he had earned the right to have his voice heard, proving his loyalty after he was unjustly denied his civil rights. Death should not be a reason to deny the validity of his vote.

This bill deletes the requirement that a voter's absentee ballot be invalidated and disposed of upon sufficient proof that the absentee voter died prior to the opening of the polls on the date of election.

Dad would support this measure, and I hope you will take formal action to pass this bill.

Mahalo.

Barbara J. Tanabe  
Managing Partner

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**From:** Tom Smyth [mailto:tjsmyth6@aol.com]  
**Sent:** Friday, March 15, 2013 5:32 PM  
**To:** PSMTestimony  
**Subject:** MOAA Testimony in Support of HB 92

Aloha,

Here is supporting testimony from the Hawaii Chapter, Military Officers Association of America (MOAA), on HB 92, Relating to Voting, being heard on 3/19 at 2:45 in Room 224.

Tom Smyth  
371-1637

The Uniformed Service Member's Voice in Government  
NATIONAL ASSOCIATION FOR UNIFORMED SERVICES  
Hawaii Chapter (HI-1)

March 18, 2013

TESTIMONY IN SUPPORT OF HOUSE BILL 92

RELATING TO VOTING

SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND  
MILITARY AFFAIRS

HEARING ON TUESDAY, MARCH 19<sup>TH</sup> AT 2:45PM,  
IN CONFERENCE ROOM 224

Aloha Chair Espero and Vice Chair Baker: Thank you for this opportunity to provide testimony in support of House Bill 92. The National Association for Uniformed Services (NAUS) is honored to be recognized as "The Service Member's Voice in Government." Here, in the great State of Hawaii, NAUS Hawaii Chapter (HI-1) serves at the pleasure of our nation's largest per-capita uniformed service community.

NAUS Hawaii Chapter (HI-1) is sincerely grateful for your efforts to amend Chapter 15, Hawaii Revised Statutes, ensure that the ballot of an absentee or military - overseas voter is valid even if the voter becomes ineligible to vote after casting the ballot

Providing this protection in State Law is extremely important to our deployed military personnel and fitting recognition of their selfless service to our country.

NAUS Hawaii Chapter (HI-1) respectfully urges your committee to consider passing House Bill 92 as written.

At your service,

*D Egge*

Dennis Egge; Chapter President



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