



**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 SENATE COMMITTEE ON WAYS AND MEANS
ON HOUSE BILL NO. 2590, HD 1, SD 1
RELATING TO ELECTIONS

March 28, 2014

Chair Ige and members of the Senate Committee on Ways and Means, thank you for the opportunity to testify in support of House Bill No. 2590, HD 1, SD 1. The purpose of this bill is to provide for opportunities to register and vote at an absentee polling place or on election day.

The Office of Elections is in support of this bill, as any qualified member of the public wishing to vote should be able to register and vote. Presently, if a citizen does not register by the voter registration deadline, which is the thirtieth day prior to the election, that person cannot vote in that election. House Bill No. 2590, HD 1, SD 1 would allow a person to register and vote on election day or at an absentee polling place.

In previous discussions regarding election day registration, the issue of voter fraud has been raised. In response, it has been noted by election officials that our laws provide that any person rightfully in the polling place on election day, may challenge the right of a person to be, or to remain registered as a voter in any precinct, on the bases that: (1) the voter is not the person he/she claims to be; or (2) the voter is not a resident and therefore not entitled to vote in that precinct. HRS § 11-25(b).

The decision can then be appealed to the relevant Board of Registration, whose decision can subsequently be appealed to the Intermediate Court of Appeals. HRS §§ 11-26 & 11-51. Given this appeal process, the voter at the polling place is permitted to vote a challenged ballot, which is placed in a sealed

envelope, to be subsequently counted or rejected depending on the resolution of the matter.

The implementation of election day registration varies significantly depending on the jurisdiction and the level of control that election officials wish to maintain control over the integrity of the voter registration rolls. Additionally, it is impacted by the manner in which polling place operations and voter registration responsibilities are handled in a particular state.

In the State of Hawaii, the counties are statutorily responsible for voter registration and absentee voting. HRS §§ 11-11 & 15-5. As for the operations of polling places and the counting of ballots, the Office of Elections is responsible for those duties. This is different from other states in which the counties also operate the polling places. As for voter registration, the state is also centralized in that it has been utilizing a statewide voter registration system, since the 1980s, that ties all the county voter registration rolls together to ensure that the rolls are as accurate as possible (i.e. a voter is not able to appear registered in more than one county and there are statewide procedures for updating the voter registration rolls).

This ability to centralize operations is due, in part, to the straight forward organization of our state, in which there are four counties for election purposes, supporting 232 precincts, as compared to a mainland jurisdiction, such as Minnesota, an election day registration state, that has 87 counties and 856 precincts.

Any shift toward election day voter registration and absentee polling place registration, will require the ability to access the statewide voter registration system on a real time basis, in order to ensure the integrity of the voter registration rolls.

Currently there are eleven jurisdictions that have authorized election day registration. Of these eleven there are some jurisdictional differences in how they approach the matter. The main jurisdictional difference is that most of these jurisdictions philosophically permit individuals to register to vote and actually cast their ballot, before the voter registration information is updated to whatever voter registration system they have, as this typically cannot occur until after the election.

In those jurisdictions, they can only prosecute an individual on the back end, if it is determined that the person was not entitled to vote (i.e. voter was in the wrong polling place, the person consciously chose to vote at more than one

polling place, in flagrant disregard of the law, or some other reason). Notice of such an issue can occur when a voter registration confirmation card, which is typically sent to an election day registrant after the election, is returned as undeliverable to the address provided.

On the other side of the spectrum are the states of Montana and Colorado, which exercise tight control over their voter registration rolls by limiting election day registration to the county election office, a location designated by the election administrator, or locations designated by statute. These locations have direct access to their statewide voter registration system.

The present bill would have the State of Hawaii allow individuals to register to vote and vote at all polling places across the state as opposed to a few select locations. Consistent with an election official's responsibility to ensure the integrity of the voter registration rolls, all counties have expressed that the statewide voter registration system must be accessed, checked, and updated before an individual can be registered and allowed to vote.

The result of this is essentially the difficult situation of trying to allow as much access as possible to register to vote, as occurs in nine mainland jurisdictions, while attempting to exercise the level of control that two jurisdictions can only accomplish by limiting voter registration to select locations that are available to register to vote, and that the rest of the country controls through having a voter registration deadline in advance of the election.

With that in mind, we recommend various changes to our election laws to help in ensuring the orderly administration of election day voter registration and absentee polling place registration. Related to those administrative changes, we recommend a significant ongoing commitment to provide the necessary funding to implement the program.

For ease of reference, our comments will track the various sections of the bill.

In Section 1 of the bill, as it relates to which polling places that an individual will be permitted to register to vote and vote and what documentation will be required, we have a few administrative comments.

This section makes reference to "proof of identity" being required as opposed to "proof of residence." This is similar to the Help America Vote Act which, for those who register to vote by mail, requires the establishment of the

identity of the applicant as opposed to their residence. As it relates to individuals who register to vote in person, the federal law has no such requirement.

Despite the reference to “proof of identity” in the bill, Section 1 has various references to the proof provided having to include the individual’s street residence. A street residence is more relevant for an inquiry into residency as opposed to identity and at times may interfere with an otherwise straight forward attempt to prove one’s identity.

For example, many individuals have their driver’s license, state identification card, bank statement, utility bill, and so forth, display a post office box or similar non-resident address. On the neighbor islands, for those who live in areas that have non-standard addresses, there is no option other than to use a post office box address, as opposed to a street address on such documents. Additionally, even those with standard resident addresses may for their own reasons choose a different mailing address. Finally, as some types of documents, such as a driver’s license, do not have to be renewed for several years, there is a possibility that the address on the license is not current. All of the above noted individuals, would have difficulties proving their identity with the documents they have.

However, Section 1 appears to have a significant exception to these requirements, which would apply to every prospective voter. Specifically, Section 1 notes that substantiating evidence of proof of identity would include “a self-subscribing affidavit of residency signed under oath pursuant to section 11-15(b).”

The self-subscribing affidavit in HRS § 11-15(b) is the affidavit that every individual has to sign when registering to vote. As every individual will sign this form as part of the registration process, it would also serve as the evidence of proof of identity required in Section 1. If this is the intention of the bill, then we believe it would be helpful if that was clarified, so as to avoid any confusion in the bill’s implementation. As a housekeeping matter we would further note that the reference to “under oath” should be removed as the applicant may either swear or affirm to the contents of the application and the reference to “under oath” might be attributed to solely swearing.

We have no proposed changes to Section 2 of the bill.

In regard to Section 3 of the bill, related to absentee polling places, we would recommend that HRS § 15-7(b) be amended to state the following:

The absentee polling places established at the office of the respective clerks shall be open no later than ten working days before election day, [and all Saturdays falling within that time period], or as soon thereafter as ballots are available; provided that [all absentee polling places shall be open on the same date statewide, as determined by the chief election officer] the day immediately prior to an election, absentee polling places may not be open and that day will not be considered a working day. For purposes of this section, a working day includes Saturday. Absentee polling places established at other locations may follow a different schedule.

This would address the concern that there may be administrative or logistical issues why certain locations could not handle voter registration, in addition to absentee voting, or that there may be issues regarding the availability of a particular site. As it relates to the day immediately prior to the election, staff is focused on preparations for election day and there needs to be an accounting of who has already voted by absentee ballot, so as to be able to update the election day poll books to reflect who has already voted and as such will not be permitted to vote on election day.

As Section 3 of the bill, includes the same language regarding “proof of identity” found in Section 1 of the bill, we recommend the same previously mentioned changes.

In regard to Section 4 of the bill, as the implementation of election day registration will be an ongoing expense, we would note that there should be an ongoing commitment to properly fund the successful implementation of election day registration.

Given that the bill only proposes an appropriation in fiscal year 2014-2015 and the implementation of absentee polling place registration does not begin until 2016 and election day registration does not start until 2018, it is difficult to state what funding would be required for fiscal year 2014-2015.

As it is our understanding that the Legislature wishes to know what the future fiscal impact would be on the State of Hawaii, if this bill were to pass, we have attempted to outline in the attached budget what is required for the implementation of absentee polling place registration in 2016 and the implementation of absentee polling place and election day registration in 2018.

The implementations costs are primarily driven by the need to ensure that election officials are able to access, check, and update the statewide voter

registration system before an individual can be registered and allowed to vote. This is different than other jurisdictions, as previously noted, who do not take such steps to ensure the integrity of the voter registration rolls.

There are two main ways to accomplish this interaction with the statewide voter registration system that has been expressed by the counties. The different approaches are based on the logistical issues that each county faces.

Given the amount of polling places in the City and County of Honolulu, it has previously stated its approach would be the following:

- Two (2) stipend voter registration officials assigned to each of the 142 polling locations
- An associated call center support operation (50 telephone operators, each with a computer terminal for access to the statewide voter registration system);
- An all-in-one printer/copier machines at polling sites; and
- Associated staffing for recruitment and training of these officials.

The County of Hawaii with 41 polling places, the County of Maui with 34 polling places, and the County of Kauai with 15 polling places, appear to desire to interact with the statewide voter registration system directly in the polling place. This would mean the following:

- A stipended election official who has received extensive training on voter registration issues will be assigned to each of the 90 polling places. This individual will be paid separate stipends for a day of training, a day of work on election day, and a day to debrief with the counties on voter registration applications that were submitted.
- Access to the statewide voter registration system through a computer at each polling place would be required, along with any setting up and testing of computer equipment prior to election day at every polling place, with relevant upgrades made to the polling place to permit internet access.
- An all-in-one printer/copier machines at polling sites; and
- Associated staffing for recruitment and training of these officials.

The attached budget outlines the cost of implementing these models for election day registration, based on our understanding of the models that the counties have been discussing. However, we defer to the specific budget estimates and models that the counties may submit to the committee in their testimony.

As it relates to absentee walk voter registration, it is our understanding that the City and County of Honolulu has indicated approximately \$35,000 per election cycle and the County of Kauai has stated \$20,000. While no specific dollar amounts are stated by the County of Hawaii and County of Maui, we assume a similar amount might be requested. As such, one would envision approximately \$100,000 per election cycle being necessary for the counties to implement absentee walk voter registration.

We have no comments on Section 5 of the bill.

As for Section 6 of the bill regarding the effective date, given that the successful ongoing implementation of absentee polling place and election day registration is contingent on appropriate funding and staffing, we would recommend that the bill sunset on December 31, 2018, in order to permit further discussions about the program moving forward.

This would permit the counties to have the necessary discussion with the Legislature as to whether it will fund this expansion of voter registration and the Legislature can review the implementation of the program in 2016 and 2018, to determine how it wishes to proceed.

While it is our expectation that the program will be successful if properly funded and staffed, we do not wish to create a situation in which the counties, due to a lack of funding, have to restrict how many polling places can be opened to those that have a registration clerk.

Specifically, if the counties cannot provide a registration clerk and statewide voter registration access at a polling place due to budgetary constraints, then the polling place will not be permitted to open and polling place consolidations will need to occur.

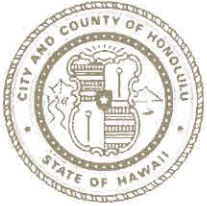
A reduction in polling places would create an unnecessary burden on voters who will have to travel longer distances and deal with longer lines. However, this would need to be balanced against the remaining polling places being able to provide the opportunity to vote to individuals who were not able to

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Relating to Elections
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register by the current voter registration deadline of thirty days prior to the election.

Thank you for the opportunity to testify in support of House Bill No. 2590, HD 1, SD 1.

Item	Cost
284 Election Officials (City & County of Honolulu)	\$99,400
50 Telephone Operators (City and County of Honolulu)	\$17,500
90 Election Officials (Neighbor Island Counties)	\$94,500
140 Computers	\$56,000
140 Software Licenses	\$35,000
140 Cable/DSL Modem	\$7,000
Technical Support to Install, Monitor, and Troubleshoot SVRS Connection	\$70,000
140 Copiers/Printers	\$28,000
TOTAL	\$407,400



BERNICE K.N. MAU
CITY CLERK

ELECTIONS

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Committee on Ways and Means
9:25 a.m. March 28, 2014
HB2590 HD1 SD1 Relating to Elections
Written Comments Only

Chair Ige, Vice Chair Kidani, and members of the Committee:

The Office of the City Clerk opposes the above measure. Although we took no position as it was deliberated in the House, our present reason for the opposition is because no provisions are included to address the ongoing fiscal mandate to the Counties for implementing the program.

At this time, we do not have a firm cost estimate for the county 'voter registration official' program required, but believe it would cost in excess of \$190,000 each election cycle. This estimate does not include providing networked access to the voter registration system at polling places. Networked access to the voter registration system for 132 Oahu polling sites would not only significantly increase the cost, but also create a serious privacy concern if accessed by volunteer officials.

Enactment of this bill also creates an expense of roughly \$35,000 for administering the same day registration early voting activities for the City and County of Honolulu. If enacted we believe that same day registration voting activities should be made reimbursable under HRS §11-184 to address the recurring costs to the Counties.

We have previously expressed our concerns with "same day" voter registration schemes and our belief that despite the best planning, procedures, and training, servicing an additional unknown quantity of voters will undoubtedly have an impact upon the voting experience for the remainder of voters.

Additionally, pollworkers are tasked with the added responsibility of servicing a new category of registrants that could have otherwise registered to vote by deadlines that are clearly publicized each election (and exist for the purpose of promoting the orderly servicing of voters).

Our main comment with this bill concerns the “registration clerks” (noted in Section 1) that would be recruited, trained, and assigned to polling places by the Offices of the County Clerks.

Statutorily, the Office of Elections is responsible for election day polling place operations and pollworker recruitment/training. On Oahu, the effort occurs directly, on neighbor islands, it may occur with the assistance of the County Clerks.¹

While the County Clerks are responsible for voter registration processing, we believe that recruiting, training, and assigning a dedicated volunteer official for each polling place (that reports directly to Office of the County Clerk) runs counter to existing jurisdictional responsibilities and the chain of command. If this measure moves forward, we would recommend removing references to assigning registration clerks “*at each of the polling places...*” on page 1, lines 16-17.

This requirement for a registration clerk program would also be a significant fiscal mandate for the counties for recurring expenses such as equipment, payment of volunteer stipends, phone support center costs, and for a full time staff member that would be hired to coordinate the effort.

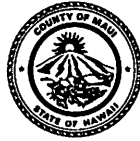
Finally, please note that regardless of the approach, implementing election day registration would also be risky as polling places routinely run at less than the full complement of staff on election day. We defer to the Office of Elections for their specific comment and assessment of their staffing levels and the associated risk to the integrity of the election.

Finally, while we appreciate the author’s effort to seek a start up funding source for the counties to meet the requirements of this measure, to our knowledge, Help America Vote Act funds may not be utilized for this purpose and an ongoing source of general funds would likely be required.

Thank you for the opportunity to comment.

¹ In 2012, the State Office of Elections rescinded delegation of general election polling place operations from the County of Hawaii, Office of the County Clerk.

DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

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TESTIMONY OF DANNY A. MATEO
COUNTY CLERK, COUNTY OF MAUI
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON HOUSE BILL NO. 2590, HD 1, SD 1
RELATING TO ELECTIONS

MARCH 28, 2014

Chair Ige and members of the Senate Committee on Ways and Means, thank you for the opportunity to offer comments on House Bill No. 2590, HD 1, SD 1. The purpose of this bill is to allow voters to register at absentee polling places beginning in 2016 and late voter registration on election day at both absentee polling and precinct polling places beginning in 2018.

The Office of the County Clerk (Clerk's Office), County of Maui, would like to express the following concerns. This Bill makes it mandatory for the counties to provide a "registration clerk" at every absentee and election day polling place in the respective counties on election day to review and process voter registration affidavits and proof of residence documents. This type of position will require extensive training and knowledge on voter registration issues prior to election day.

If a person is allowed to register and vote on election day, and if that person was erroneously assigned to a polling place and issued a ballot, once a ballot is cast it cannot be retrieved.

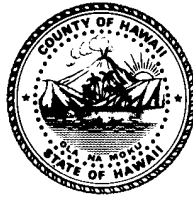
In addition to staff, computers and computer connections will need to be established at each of our polling places in order to complete the registration process on election day. This requires setting up and testing computer equipment prior to election day at every polling place.

Our Statewide Voter Registration System is a real-time system that contains confidential information (names, residence addresses, social security numbers, dates of birth) of all registered voters. In the offices of the City/County Clerks, election clerks who deal with voter registration information are under the constant supervision of seasoned election administrators.

To implement this Bill each election year funding will be essential, not only for the initial fiscal year, but every year. The funds will be necessary for staffing, training, computer equipment (maintenance, upgrades, and installation), and software license renewals.

Thank you for the opportunity to offer comments on House Bill 2590, HD 1, SD 1.

STEWART MAEDA
County Clerk



MAILE DAVID
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

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Hawai'i County Building
25 Aupuni Street
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TESTIMONY OF STEWART MAEDA
COUNTY CLERK, COUNTY OF HAWAII
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON HOUSE BILL NO. 2590, HD 1, SD 1
RELATING TO ELECTIONS
March 28, 2014

Chair Ige and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 2590. This bill would allow voter registration at absentee polling places beginning 2016 and late voter registration on Election Day at polling places beginning in 2018. The Office of the County Clerk, County of Hawai'i would like to offer the following comments on the Bill.

Election Day Registration although well intended poses serious concerns for the County of Hawaii. The responsibility of voter registration and absentee voting are statutory responsibilities of the Counties. These functions are currently the responsibility of permanent staff in the County Elections Office. This Bill will require the Counties to provide an experienced Registration Clerk at all (4) Absentee and (43) Election Day Polling Place. Many of the addresses in the County of Hawai'i are non-standard addresses and require follow up work with the Real Property Tax Office and /or the Planning Department. Currently, the permanent elections staff assigned to this duty has had years of extensive training and access to this information. The registration clerk at the Absentee and Election Day Polling Places must be an experienced election clerk who has the knowledge and expertise in assigning voters to their correct district/precinct. Placing this responsibility on a volunteer could be overwhelming.

The Statewide Voter Registration System (SVRS) contains confidential information for all registered voters statewide. Election Clerks who work with voter registration information are under the constant supervision of permanent Elections Staff. This Bill would require the Counties to have the SVRS placed at all Absentee and Election Day Polling Places which could result in a voters confidential information being breached if accessed by volunteer officials.

To execute this Bill, additional election year funding will be crucial. The funds will be needed for staffing, training, and computer equipment (example: installation, upgrades, software).

Maximizing voter registration is one of the most important functions of our office. It is equally important that we maintain the integrity of the voter registration list.

Thank you for the opportunity to comment on House Bill 2590, HD 1, SD 1.



HB2590 HD1 SD1
RELATING TO ELECTIONS
Senate Committee on Ways and Means

March 28, 2014

9:25 a.m.

Room 211

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB2590 HD1 SD1, which would allow voters to register at any absentee polling place in the individual's county in days prior to an election, or at the polling place in the individual's precinct on election day. Allowing late and election day registration may contribute to a more engaged populace, and result in higher rates of Native Hawaiian voter participation.

It is well known that Hawai'i has historically suffered from low voter turnout. HB2590 HD1 SD1 would reduce hurdles for voter registration, ultimately resulting in a more accessible voter registration process and higher voter turnout rates. While many states suffer from low voter turnout, in 2008 Hawai'i ranked dead last—50th in the nation for voter participation among those eligible to vote in the presidential election.¹ In response to historical data reflecting the underrepresentation of Native Hawaiians in the polls, in 2012 OHA developed the "Hawaiian Voice, Hawaiian Vote: I Mana Ka Leo" campaign to increase Native Hawaiian voter registration, education and turnout. During implementation of this campaign, we found that Hawai'i's voter registration process was unnecessarily complicated, and that the State does very little to educate the public on these processes or encourage voter turnout.

Research indicates that the people of Hawai'i would likely benefit from the simpler process envisioned by HB2590 HD1 SD1. Foremost, the nine states that allow election day voter registration have experienced substantially increased voter participation.² These states have not found that allowing election day voter registration complicates election administration or leads to increased voter fraud.³ In addition, a 2011 study published by Dēmos.org found that election day voter registration would likely lead to a substantial 5.3 percent increase in Hawai'i voter turnout.⁴ This increase would include new voters who have not voted in previous

¹ R. Michael Alvarez & Jonathan Nagler, *Election Day Voter Registration in Hawaii*, DEMOS.ORG (Feb. 16, 2011), http://www.demos.org/sites/default/files/publications/Elections_Day_Registration_Hawaii.pdf, at 3.

² R. Michael Alvarez & Jonathan Nagler, *Election Day Voter Registration in Hawaii*, DEMOS.ORG, Feb. 2011, at 2.

³ *Id.*

⁴ *Id.* at 1.

elections and therefore are not familiar with the voter registration process and deadlines, as well as prior voters that have moved and may be unaware that they need to register in their new voting districts.

Given the potential to greatly bolster Hawai'i's low voter turnout rate, including the turnout of Native Hawaiian voters, OHA urges the Committee to **PASS** HB2590 HD1 SD1. Mahalo for the opportunity to testify on this important measure.

RICKY R. WATANABE
County Clerk

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Deputy County Clerk

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**TESTIMONY OF RICKY R. WATANABE
COUNTY CLERK, COUNTY OF KAUAʻI
TO THE SENATE COMMITTEE ON WAYS AND MEANS
ON HOUSE BILL NO. 2590, H.D. 1, S.D. 1
RELATING TO ELECTIONS**

March 28, 2014

Chair Ige and Committee Members:

Thank you for the opportunity to testify on House Bill No. 2590, H.D. 1, S.D. 1. This Bill would allow late voter registration at absentee polling places beginning in 2016 and late voter registration on Election Day at both absentee polling and precinct polling places beginning in 2018.

We support the intent of the Bill but have concerns regarding some of its provisions and offer some thoughts on its impact to our office and operations, and to voters and other election stakeholders.

Implementing a late registration process is much more complicated than it appears. To simply allow someone to register and vote on the same day is easy, the real issue is to ensure that the established process is not overly burdensome for voters and poll workers, yet is sound enough to ensure the overall integrity of the voting process.

We are particularly concerned with the additional burden being placed on poll workers or the "registration clerk" as noted in the Bill. Though the late registration process for most voters should be fairly straightforward, situations involving questionable voter residency and related issues frequently occur, and are often quite difficult to resolve.

If the Bill is approved as initial drafted, each registration clerk would need fairly extensive training on voter registration laws and administrative rules. Additionally, we would prefer that each polling place be connected to the Statewide Voter Registration System (SVRS) so each registration clerk would also need to be trained to use the SVRS. We understand that equipping each polling place with SVRS access will be costly and logistically difficult but prefer this approach because it will greatly improve a registration clerk's ability to: 1) accurately determine the voting status of each late registrant, and 2) correctly place the individual in the proper voting district and precinct.

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Given our proposal for implementing provisions of this Bill in the County of Kaua'i, we anticipate the initial election to cost approximately \$40,000. This amount is for procuring computers, software, and related ancillary equipment; to establish and test network connections to the SVRS at each polling place; for Election Day network support; and for expenses related to registration clerks.

For subsequent election years, we project approximately \$20,000 in recurring expenses to reestablish and test network connections at each polling place; for Election Day network support; and for expenses related to registration clerks.

Offering late registration during early voting could be somewhat simpler since the Counties already have SVRS access and can directly oversee the operations. However, late registrants will generate additional work and require our office to hire two (2) additional temporary staff at a cost of approximately \$20,000.

In closing we wish to note that regardless of where late registration is implemented, there will be additional costs for both the State and Counties which require a sustained funding commitment. Anything less would eventually result in a reallocation of resources to late registration and a corresponding reduction in services elsewhere.

Thank you for this opportunity to testify on House Bill No. 2590, H.D. 1, S.D. 1.



RICKY R. WATANABE
County Clerk



Senate Ways and Means Committee
Chair David Ige, Vice Chair Michelle Kidani

Friday 03/28/2014 at 09:25AM in Room 221
HB2590 HD1 SD1- Relating to Elections
Late Voter Registration

TESTIMONY OF SUPPORT
Carmille Lim, Executive Director, Common Cause Hawaii

Dear Chair Ige, Vice Chair Kidani, and members of the Committee:

Common Cause Hawaii supports HB2590 HD1 SD1. This bill would establish a process that would enable eligible voters to register to vote at absentee polling places in 2016, and allow for late voter registration on Election Day at absentee polling places and precincts in 2018.

We defer to the Office of Elections for a suggested appropriation amount for the initial investment to implement polling place registration, and for a suggested per-election cycle appropriation to maintain polling place registration. According to the Office of Elections' March 14, 2014 testimony to the Senate Judiciary Committee, they estimated \$407,000 for implementing registration at polling places.

Since registration at "absentee polling places" (i.e., early walk-in sites) is managed by the county clerks, we defer to them for the suggested appropriation for voter registration at these sites. Per the Office of Elections' March 14, 2014 testimony to the Senate Judiciary Committee, the Office of Elections estimates that it will cost approximately \$100,000 per election cycle to implement voter registration at early walk-in sites. The Office of Elections based this estimate on past testimony from the Clerks of City & County of Honolulu (\$35,000) and the County of Kauai (\$20,000) in addition to their own estimate for the County of Hawaii and County of Maui, both of which did not suggest an appropriation amount.

Our current voter registration method is archaic and burdensome for citizens, and excludes many eligible voters from participating in our democracy. The current registration system favors those who are highly motivated, very interested in politics early on in the election/campaign season, plan far in advance to ensure that they are registered to vote, and does not allow residents who have moved to vote unless they have re-registered to vote. For others, the voter registration system is a major hurdle. The 30-day registration deadline makes it more difficult for those who are less involved in politics, unfamiliar with the voter registration process and its associated deadlines, or have recently moved residences. We need to stake strides in voting modernization, and create a system that empowers all eligible citizens to vote -- enacting late voter registration, including Election Day Registration, is one step we can take to modernize our voting system.

As a state with the lowest voter turnout in the nation, we must take action to encourage citizen participation in the voting process. Late Registration would help to diffuse confrontations three scenarios that many voter precinct workers and eligible voters have expressed to us:

- 1) When voters' names are missing from registration lists for that particular precinct, they are instructed to commute to a different precinct.
- 2) When eligible voters have moved and did not renew their "voting address" (i.e., re-register to vote), they are not allowed to cast a ballot. Often, they did not know that they had to re-register to vote "just because" they've moved.
- 3) When eligible voters – and many times would-be-first-time-voters—who have not had a history of participating in politics and government, show up to the polls not realizing that: 1) they need to register to vote prior to voting 2) not knowing what the voting registration deadlines were

In all three scenarios, eligible voters have expressed frustration, a loss of confidence in our voting systems, and a disinterest in attempting to participate in future elections.

We urge the Committee to pass this HB2590 HD1 SD1 and ask all the Committee members to champion this and other efforts for improving voter participation in Hawaii.

Thank you for the opportunity to testify in support of HB2590.



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WAYS AND MEANS COMMITTEE

Friday, March 28, 2014, 9:25 a.m. Conference Room 211
HB 2590, HD1, SD1 RELATING TO ELECTIONS.
TESTIMONY
League of Women Voters of Hawaii

Senator David Y Ige, Chair, Senator Michele Kidani, Vice Chair, and Committee Members:

The League of Women Voters of Hawaii strongly supports HB 2590, HD1 SD1 that allows late voter registration for future elections beginning in 2016 and polling place voter registration beginning in 2018.

The League has been promoting voting and elections modernization for some time. We are excited that Act 225 passed in 2012 will permit online voter registration beginning in 2016. Online voter registration is a very efficient “automated” approach toward voter registration, which will greatly reduce the demand for in-person registration. Nevertheless some people do not drive and other people wait until an election is imminent to register to vote so this bill is still needed.

We think by 2016, our County Clerks could devise a system for permitting people to register to vote at absentee walk polling places, using the guidance provided in this measure. There are a limited number of absentee walk sites in our State and these sites generally have access to the statewide voter registration database and personnel well enough trained to serve as “registration clerks” authorized by this bill. Our understanding is that by 2016, the State Office of Elections will have upgraded their statewide database in accordance with Act 225, making it possible for a clerk to check whether a person is already registered to vote.

Regarding late voter registration at polling places, we think 2018 is a realistic date for planning this change, which we wholeheartedly support because of the likely bump up in voter turnout (however modest). Prior to 2006 in the six states that permitted voters to register on Election Day plus North Dakota (which has no voter registration), turnout is 10 percent to 17 percent higher than the national average. Minnesota estimates that registrations that occur on Election Day account for five percent to ten percent of voter turnout.¹

Experts have also projected substantial voter turnout increases in states that are considering adopting registration at polling places, including Hawaii. In a 2011 study, overall turnout here was estimated to go up by 5.3 percent. Turnout among those aged 18 to 25 could increase by 9.2 percent, and turnout for those who have moved in the last six months could increase by 7.3 percent.²

We do not think additional proof other than a self-affirming affidavit and other procedures outlined in Section 1, (b) (2) of this bill should be required of voters who are registering in person on Election Day,

¹ National Conference of State Legislatures, February 19, 2013.

² Alvarez, R. Michael and Jonathan Nagler, “ELECTION DAY VOTER REGISTRATION IN HAWAII,” Demos, February 16, 2011.



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because Hawaii already has well-established procedures for challenging the identity, residence or other aspects of a voter's legal registration. Importantly, pursuant to HRS 10-3.5 a person who knowingly provides false information on this registration affidavit may be guilty of a Class C felony, punishable by up to five (5) years imprisonment and/or a \$10,000 fine.

Certainly we also support all efforts by our County Clerks to keep our voter registration records accurate and up-to-date. Many registrars have made this task easier by using proven electronic databases like The Electronic Registration Information Center (ERIC) to match public records databases across many types of databases and many states.³

Implementing this bill will require an ongoing financial commitment from both the State and the Counties. But, we think this will be a relatively modest commitment. In fact, in mid-February the Office of Elections provided a budget estimate showing a \$407 thousand appropriation would be necessary for the State to implement the polling place registration. We defer to the Office of Elections on how much of this appropriation is non-recurring startup cost and how much is per election cycle ongoing cost.

For the absentee walk-in registration, we defer to the Counties on this cost. One estimate made by the Office of Elections is the ongoing cost is \$100 thousand per election cycle. As stated above, staffing absentee walk sites for 2016 and beyond should not require additional County trained personnel. Polling site temporary "registration clerks" who are well trained will be needed. If the County Clerks continue to have doubts about volunteers in these positions, temporary hires can be trained and used. This is a modest investment, for big returns in ease of voting.

Passing the bill now will allow both the Office of Elections and the County Clerks to carefully plan for the 2016 and 2018 rollouts described in the bill; we know careful planning has been a critical ingredient in the success of Election Day registration in other states. We support gradual investment in modernizing voter registration and we are very confident the 2016 and 2018 milestones are achievable.

Thank you for the opportunity to submit testimony.

³ Developed by the Pew Charitable Trusts and IBM, ERIC uses several databases to compare voters across state lines. The system compares voter list data with Department of Motor Vehicle records, Social Security Administration records, the Postal Service's national change of address registry and other databases to match voters across state lines; if the system concludes with a high degree of confidence that a John Doe on one state's voter roll is the same John Doe in another state, the record is flagged.