

**STATE OF HAWAII
OFFICE OF ELECTIONS**

802 LEHUA AVENUE
PEARL CITY, HAWAII 96782
www.hawaii.gov/elections

SCOTT T. NAGO
CHIEF ELECTION OFFICER

**TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON FINANCE
ON HOUSE BILL NO. 124, HD 1
RELATING TO ELECTIONS**

February 27, 2015

Chair Luke and members of the House Committee on Finance, thank you for the opportunity to testify in support of House Bill No. 124, HD 1. The purpose of this bill is to require the Office of Elections to implement all-mail elections by 2020.

The Office of Elections believes transitioning to all-mail elections will encourage voter turnout, streamline the administration of elections, and result in cost savings. Currently, elections consist of three systems: (1) absentee walk sites; (2) election day polling places; and (3) absentee mail. The vast majority of voters either vote at election day polling places or by absentee mail. As such, it may be more efficient to focus our resources on absentee mail, with a significantly smaller election day presence limited to voters obtaining a replacement ballot package, or voting on a direct recording electronic voting machine; as well as some variation of absentee walk. With that in mind, we have a variety of technical concerns regarding this bill.

This bill envisions that elections by mail will be implemented in the County of Kauai (i.e. a county with a population less than 100,000) in 2016, one or more counties in 2018, which have a population greater than 100,000, and the rest of the state by 2020. The bill also includes amendments to HRS § 11-91.5, in Section 7 of the bill, which would give discretion to the Office of Elections to conduct elections by mail in whole or in part, including designating specific precincts or counties for elections by mail.

While we believe a statewide transition to all-mail could be accomplished by 2020, we recommend deleting Section 11-A and using the language of HRS § 11-91.5, as drafted, to direct the transition. This provides flexibility to election

administrators and the Legislature depending on issues of public funding and public support for all-mail that may occur during the initial stages of the implementation.

In reviewing the bill, we also wish to note the following operational issues and recommendations.

Section 11-B(f) states that a ballot may be returned to a place of deposit no later than the time provided in HRS § 11-131 on the date of the election. In determining places of deposit, not all locations may be able to be secured until the close of polls on election day and we may need to close those at an earlier date or time. We believe the proposed definition of places of deposit in HRS § 11-1, in Section 2 of the bill, should be amended to state that the dates and hours of operation of the places of deposit may differ from those of voter service centers.

Similarly, in establishing voter service centers, under Section 11-D(b), it may be difficult to use facilities that have served as an election day polling place for a ten day period. We would recommend that Section 11-D(b) be amended to state the following:

(b) Voter service centers shall be established at the office of the respective clerks, and may be established at such other sites as may be designated by the clerk. The voter services center established at the office of the respective county clerks shall be open no later than ten working days before election day, or as soon thereafter as ballots are available; provided that the day immediately prior to an election, voter services centers may not be open and that day will not be considered a working day. For purposes of this section, a working day includes Saturday. Voter services centers established at other locations may follow a different schedule. In the event the office of the county clerk cannot accommodate a voter service center, the county clerk shall designate another location to serve that purpose.

In regard to Section 15, implementation for the County of Kauai in 2016, we anticipate expenditures for additional ballots, envelopes, and postage, along with the cost of a high-speed scanner sorter to process the return envelopes. As such, we would request an appropriation of \$50,000 in fiscal year 2015-2016 and the same amount in fiscal year 2016-2017.

Finally, in order to implement all-mail elections, we believe there should be a safeguard in place for voters who do not receive their ballots in a timely manner to vote and return them by election day, as they are out-of-state, or are otherwise physically not able to get to a voter service center on election day. We would

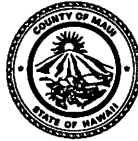
recommend amending HRS § 15-5 to authorize the electronic transmission of blank and voted ballots by fax, electronic mail, and online ballot delivery for such voters, within 5 days of an election, if they have not received their ballot or they have spoiled their ballot. The following is our proposed language and we have also submitted a similar bill, House Bill No. 178, for consideration by the Legislature.

SECTION __. Section 15-5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) If mailed absentee ballots are not received by the voter within five days of an election, or a voter otherwise requires a replacement ballot within five days of an election, a ~~[covered]~~ voter ~~[under chapter 15D]~~ may request that absentee ballots be forwarded by ~~[facsimile.]~~ electronic transmission. Upon receipt of such a request and confirmation that proper application was made, the clerk may transmit appropriate ballots ~~[by facsimile]~~ together with a form requiring the affirmations and information required by section 15-6, and a form containing a waiver of the right to secrecy, as provided by section 11-137. The voter may return the voted ballot and executed form by ~~[facsimile]~~ electronic transmission or mail; provided that they are received by the issuing clerk no later than the close of polls on election day. Upon receipt, the clerk shall verify compliance with the requirements of section 15-9(c), and prepare the ballots for counting pursuant to section 15-10. The clerk shall determine, prior to an election, which form or forms of electronic transmission shall be authorized for the initial transmission of ballots to voters and the return transmission of ballots by voters. The forms of electronic transmission authorized for the initial transmission of ballots may differ from those authorized for the return of ballots by voters. For purposes of this subsection, "electronic transmission" may include facsimile transmission, electronic mail delivery, or the utilization of an online absentee ballot delivery and return system.”

Thank you for the opportunity to testify in support of House Bill No. 124, HD 1.

DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

TESTIMONY OF DANNY A. MATEO

COUNTY CLERK, COUNTY OF MAUI

TO THE HOUSE COMMITTEE ON FINANCE

ON HOUSE BILL NO. 124, H.D. 1

RELATING TO ELECTIONS

FEBRUARY 27, 2015

Chair Luke and members of the House Committee on Finance, thank you for the opportunity to offer comments on House Bill No. 124, H.D. 1. The purpose of this bill, beginning with the primary election in 2016, requires the Office of Elections to implement elections by mail in a county with a population less than 100,000. In 2018, elections by mail will be held in one or more counties of similar size. Thereafter requires all federal, state, and county primary, special primary, general, special general, and special elections to be conducted by mail. Establishes voter service centers for the counties and islands, in lieu of traditional polling places. Requires voter service centers to provide services such as voter registration.

The Office of the County Clerk, County of Maui, would like to provide comments on the proposed bill.

In this bill, the definition of an election-by-mail ballot packet states "...that shall be provided to eligible voters in any county where elections by mail have been implemented." With that in mind, the references to absentee ballot or permanent absentee ballot are unnecessary and confusing since all registered voters will receive an "election-by-mail ballot packet". Currently, all absentee and permanent absentee voters receive an official ballot, a pre-paid postage return identification envelope, a secrecy envelope, and instructions (§15 HRS). These materials are already provided, and such differentiation between absentee, permanent absentee, and election-by-mail recipients creates unnecessary confusion. The exception would be for a voter requesting to have their ballot mailed to an address other than their mailing address on their voter registration record (i.e. college student).

In addition, according to the proposed bill, counties would be responsible for funding absentee voting, while the State would be responsible for costs related to preparing, mailing, receiving, processing, and tabulating mail ballots. Clarification on the differences between absentee mail voting (already covered in §15 HRS) and elections by mail need to be made, if the legislature intends for them to be distinct and separate. If so, this bill does not take into account funding issues the counties will face while implementing these mandates, including up-front and ongoing costs. While the bill provides an undisclosed amount of funding to the Office of Elections to implement it, the counties have been tasked with the responsibility of paying expenses related to absentee voting.

February 27, 2015

Page 2

§15-10 HRS provides for the tabulation of absentee ballots. Our office supports the proposed bill's intent to allow early tabulation of mail in ballots. However, if the legislature intends to have a clear and distinct separation between absentee mail ballots and election-by-mail ballots, our office would request that §15-10 HRS also be amended to allow early tabulation of absentee ballots to be consistent across mailed ballot types.

The proposed bill says the State shall be responsible for preparing, mailing, receiving, processing, and tabulating mail ballots. Our office supports centralized statewide mailing, processing and counting center operations, instead of separation between the counties and State in all mail elections to utilize economies of scale and keep costs lower for all parties.

Language within the bill would need to be clarified, including but not limited to the use of the terms "voter service centers", "precinct", and "polling place".

This bill implements elections by mail in a county with a population of less than 100,000 in 2016. The county of Kalawao falls into the category of a county with a population of less than 100,000, but is already covered in HRS §15-4(b) for all mail elections. We recommend that the county of Kalawao be clearly excluded from this bill.

This proposed bill also requires establishing places of deposit in each district in each county. As far as our office is aware, other counties that conduct all mail elections provide places of deposit in other areas because they do not provide return postage. Providing return postage to each registered voter essentially turns every mailbox into a place of deposit. Our office requests that places of deposit be allowed, but that no minimum number by district be required and instead allow the respective Clerks to determine the best situation for each county.

In addition, there are substantial costs involved for both the County of Maui and the State to retrieve ballots from places of deposit on election days. In order to expeditiously retrieve ballots and transmit results in a timely fashion, two charter planes are used to fly between Lanai, Molokai and Maui, and Hana and Kahului. In the 2014 elections, our office experienced significant obstacles in obtaining a company to fly at night between these areas, due to the compensation, tax and other procurement requirements, and dangerous conditions. Our County has experienced significant chartered and commercial plane crashes that have resulted in loss of lives. We respectfully request that, at the very least, you eliminate the requirement for us to collect ballots from places of deposit on Molokai, Lanai, and Hana on election days so that safer and more cost conscious methods can be used to provide election results.

Thank you for the opportunity to provide comments on House Bill No. 124, H.D. 1.



HB124 HD1
RELATING TO ELECTIONS
House Committee on Finance

February 27, 2015

1:30 p.m.

Room 308

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB124 HD1, which reduces barriers to voting, and increases voter participation opportunities, by allowing future elections to be held by mail.

It is well known that Hawai'i has historically suffered from low voter turnout. Hawai'i consistently ranks lower than the national average for voter participation among those eligible to vote in the presidential election.¹ In response to historical data also reflecting the underrepresentation of Native Hawaiians in the polls, during the past two election seasons OHA has implemented a "Hawaiian Voice, Hawaiian Vote: I Mana Ka Leo" campaign to increase Native Hawaiian voter registration, education, and turnout.

During the course of these campaigns, many potential Native Hawaiian voters expressed ambivalence toward taking time off of work to visit polls, or taking the necessary steps to complete the absentee voter registration process. HB124 HD1 would reduce such hurdles for voter participation by automatically giving citizens the opportunity to vote at their own convenience, from the comfort of their own home. This will ultimately result in a more accessible election process and potentially higher voter turnout rates.

Evidence indicates that the people of Hawai'i generally would also likely benefit from the modernized voting process envisioned by HB124 HD1. For example, Washington and Oregon, the two states that already conduct elections-by-mail, rank among the top four states in the nation for voter turnout, with marked increases in voter turnout after implementing their mail-in voting systems.² Notably, these states have not found that holding elections by mail complicates election administration, or leads to increased voter fraud.³ Implementing such a system for Hawai'i would not only mean that every eligible voter could vote at their own convenience, but also that voters would have a much longer

¹ Editorial Board, *The Worst Voter Turnout in 72 Years*, THE NEW YORK TIMES, Nov. 11, 2014, available at <http://www.nytimes.com/2014/11/12/opinion/the-worst-voter-turnout-in-72-years.html>.

² New York Times, Graphic: Voting by Mail (Oct. 6, 2012), http://www.nytimes.com/interactive/2012/10/07/us/voting-by-mail.html?_r=0.

³ Allison Terry, *Voter turnout: the 6 states that rank highest, and why*, CHRISTIAN SCIENCE MONITOR, November 6, 2012, available at <http://www.csmonitor.com/USA/Elections/2012/1106/Voter-turnout-the-6-states-that-rank-highest-and-why/Oregon>.

time with ballots in their hands, giving them ample opportunity to consider issues and candidates and make more informed decisions.

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** HB124 HD1. Mahalo for the opportunity to testify on this important measure.



House Committee on Finance
Chair Sylvia Luke, Vice Chair Scott Nishimoto

Friday 02/27/2015 at 1:30 PM in Room 308
HB 124 HD 1 Relating to Elections

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

Dear Chair Luke, Vice Chair Nishimoto, and members of the House Committee on Finance:

Common Cause Hawaii supports HB124 HD1, which would require the Office of Elections to implement a system of elections by mail, starting with the 2016 primary elections in counties with a population of less than 100,000, then expanding to all counties in 2018 to cover all federal, state, and county primary, general, and special elections.

Common Cause believes that increased citizen participation in the electoral process is a crucial component of a maintaining a successful democracy, and believes that vote-by-mail provides people more time to exercise their right to vote.

VOTING TRENDS

Vote-by-Mail (VBM) was successfully utilized in Hawaii during the 2010 1st Congressional District special election for Neil Abercrombie's vacated seat, and continues to prove its effectiveness. According to figures provided by the Office of Elections, trends show a leaning of basic voter preference for VBM with 83% of the early voters from the 2014 Hawaii primary election opting to do so by mail-in absentee ballot.

POTENTIAL COST SAVINGS

Tax dollars can also be saved by the reduced need for as many walk-in polling places that accompany the current "hybrid" voting system. Estimates from the Office of Elections show that after an initial technology investment, the state would save at least \$874,000 per election cycle.

For years, Common Cause Hawaii has supported a VBM system because of its potential cost-savings. There are significant expenses under the current "hybrid" model, in which half of the elections are conducted via absentee ballot, and the other half is conducted at in-person polling places. These expenses include staffing needs (i.e., part time staff and Election Day "volunteers") and renting facilities for use as polling places. We believe that scaling back these expenses can occur when we transition to a VBM system.

VOTER ACCESS + TURNOUT

While vote-by-mail may make it more convenient to cast a vote, there is no conclusive evidence that VBM alone will encourage or increase voter turnout. A VBM system must complement and protect recently enacted reforms such as Online Voter Registration and Election Day Registration. Should Hawaii have a VBM system that coexists with Online Voter Registration, Election Day Registration, and Ranked Choice Voting, our state could be considered as a "model state" for voting reform.

In addition to the individual and collective benefits that voting by mail provides to the public, tangible solutions to significant logistical obstacles accompany the intent of this bill. For example, given the frequency of storms and the potential for hurricanes and other natural disasters, all of which pose a substantial threat to an electoral system which relies heavily on holding elections on a single day, vote-by-mail seems the obvious choice by allowing people more time to exercise their right to vote.

Thank you for the opportunity to testify on HB124 HD1.



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwvhawaii.com

Committee on Finance

February 27, 2015, 1:30 PM, Room 308
HB 124, HD 1, Relating to Elections

Brad Clark, Legislative Committee, League of Women Voters of Hawaii

Chair Luke, Vice-Chair Nishimoto, and Committee Members:

The League of Women Voters of Hawaii supports HB 124, H.D. 1, which would require the office of elections to implement elections by mail in a county with a population of less than 100,000 beginning in the primary election of 2016. The bill further requires that in 2018, elections by mail will be held in one or more counties of similar size. Thereafter requires all federal, state, and county primary, special primary, general, special general, and special elections to be conducted by mail. Establishes voter service centers for the counties, in lieu of traditional polling places to provide services such as voter registration and it appropriates funds.

We support the phased in approach to vote-by-mail implementation contained in this bill. Conducting elections entirely by mail will be a major change to the conduct of elections in Hawai'i and we believe that the phased in approach will enable the office of elections and county clerks to effectively manage this transition. The League of Women Voters strongly supports the establishment of voter service centers. These centers will ensure that Hawai'i is in compliance with the federal Americans with Disabilities Act of 1990 by having accessible voting devices available for voters with disabilities. Voter service centers will also allow votes who wish to, to vote in person, and to facilitate late and Election Day voter registration. We are pleased that this bill now allows the counting of mail in ballots beginning seven days before the election. This will allow for timely release of election results on election night.

While voting by mail will result in long term cost savings, this bill allows for an appropriation which is important. A vote-by-mail system will initially require capital investment to procure the equipment necessary to process ballots for all voters. We recommend consultation with the office of elections and the county clerks to ensure that adequate funding is made available to both state and county election officials to implement this important voting change. However, there will be long term savings associated with vote-



49 South Hotel Street, Room 314 | Honolulu, HI 96813
www.lwv-hawaii.com | 808.531.7448 | voters@lwvhawaii.com

by-mail. According to the office of elections a vote-by-mail system would save a minimum of \$874,000 per election cycle.

For these reasons we urge you to pass this bill and thank you for the opportunity to submit testimony.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 25, 2015 8:09 AM
To: FINTestimony
Cc: burgharc@gmail.com
Subject: Submitted testimony for HB124 on Feb 27, 2015 13:30PM

HB124

Submitted on: 2/25/2015

Testimony for FIN on Feb 27, 2015 13:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Support	No

Comments: Why not the all the islands? Office of Elections wastes so much money and they are sitting around watching videos etc. on off years. Lots of waste there. Could eliminate so many issues by mailing all ballots.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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finance1-Kim

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 24, 2015 8:13 PM
To: FINTestimony
Cc: ndavlantes@aol.com
Subject: *Submitted testimony for HB124 on Feb 27, 2015 13:30PM*

HB124

Submitted on: 2/24/2015

Testimony for FIN on Feb 27, 2015 13:30PM in Conference Room 308

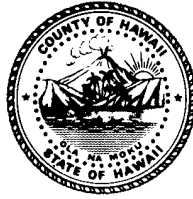
Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Davlantes	Individual	Support	No

Comments:

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STEWART MAEDA
County Clerk



JON HENRICKS
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

Elections Division
County of Hawai'i
Hawai'i County Building
25 Aupuni Street
Hilo, Hawai'i 96720

LATE

TESTIMONY OF STEWART MAEDA
COUNTY CLERK, COUNTY OF HAWAII
THE HOUSE COMMITTEE ON FINANCE
ON HOUSE BILL NO. 124, HOUSE DRAFT 1
RELATING TO ELECTIONS

FEBRUARY 27, 2015

Chair Rhoads and Committee Members:

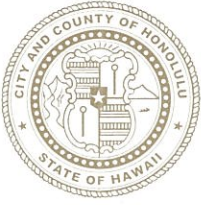
Thank you for the opportunity to testify on House Bill No. 124. The purpose of this bill proposes elections by mail for all federal, state, and county elections. Additionally, the bill seeks to establish a minimum number of voter service centers per county and island.

The Office of the County Clerk, County of Hawai'i supports all mail elections, but have concerns with Bill No. 124.

We recommend combining "Place of Deposit", "Poll or Polling Place" and "Voter Service Center" into one location for accepting ballots and providing all other services. Currently all absentee and election day polling places in the State of Hawai'i allow for voters to 1) deposit or cast a ballot; 2) update a voters address; 3) change name in the voting record; 4) register to vote; and 5) provides access for persons with disabilities. All of these services would be combined making it convenient for voters.

We agree with the centralize processing and tabulation of ballots. We recommend each county be represented by Official Observers and County Election Officials.

Thank you for the opportunity to testify on House Bill No. 124



GLEN I. TAKAHASHI
City Clerk (Acting)

OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077 TELEPHONE (808) 768-3810

LATE

WRITTEN TESTIMONY ONLY

TESTIMONY OF THE OFFICE OF THE CITY CLERK
TO THE HOUSE OF REPRESENTATIVES COMMITTEE ON FINANCE
ON HOUSE BILL NO. 124 H.D. 1
RELATING TO ELECTIONS
February 27, 2015, 1:30 p.m.

Chair Luke and Committee members:

Thank you for the opportunity to testify on House Bill No.124 H.D.1. The purpose of this bill is to require the Office of Elections and counties to implement all-mail elections.

The Office of the City Clerk is in favor of transitioning to a vote by mail election scheme. Since its inception, absentee voting has been increasing steadily and in 2014 a majority of the votes cast were by absentee ballot before election day. We feel that resources and effort should reflect the shift toward this trend and toward a single election scheme instead of a hybrid scheme comprised of in person voting and mail voting over various locations and times. The election scheme should be intuitive with clear and practical voter deadlines and responsibilities that facilitate participation to avoid confusion.

With that being said, we offer comments concerning this bill.

There appears to be an ambiguity with regard to who is responsible for implementing the vote by mail scheme. Section 1, §11-B (a) states: "Between eighteen and twenty-two days...the **county clerk shall mail** an election-by-mail ballot packet by nonforwardable mail..." However, the bill goes on to state in Section 7, HRS §11-91.5 section (g)(2) "The **State shall be responsible** for preparing, **mailing**, receiving, processing, and tabulating mail ballots..." This needs to be clarified to define the role of each election office in each process.

Additionally, while it is likely assumed that vote by mail ballot return deadlines will be similar to the current absentee mail deadlines, we could not locate a ballot return deadline within the bill. Also omitted is any mention of a signature verification/comparison process for returned vote by mail envelopes.

The terms “voter service center”, “absentee polling place”, “precinct”, and “polling place” also require clarification. References to “polling place” within section 4 of the bill might imply that polling sites must still be made available on election day. We would oppose this requirement as vote by mail schemes typically exclude any polling place other than one at the County Clerk’s office.

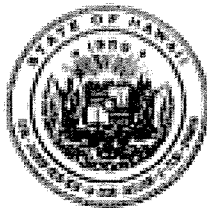
Accordingly, we would recommend the repeal of HRS §11-15.2(a)(2) for purposes of technical clarity and any other section of law within Chapter 11 HRS that infers or requires that a polling place (in the traditional sense) be open on election day.

With regard to the establishment of voter service centers, compliance with the requirements would be challenging. While the intent of providing conveniently located service centers is laudable, securing the use of a school, recreational hall, or park facility for the amount of time prescribed in the bill may be disruptive for regular users and obtaining approval would be unlikely. When considering commercially available locations, property owners are also reluctant to lease space for short periods and a six month lease (between July and November) would undoubtedly increase administrative costs tremendously.

Experience in the States of Washington and Oregon reveal that a single voter service center located at the county office is more than sufficient under an efficient vote by mail scheme. For example, King County, Washington with a population of 1.9 million and over 2,115 square miles has a single voter service center located in Renton near the airport. Both of these counties do provide “places of deposit” or drop sites as noted with HB124 HD1 and we applaud the authors for contemplating the provision of the service.

We note that with newly acquired mail scanning technology, the Office of the City Clerk is presently capable of processing the volume of vote-by-mail envelopes for all registered voters of the City and County of Honolulu. However, we defer to the Office of Elections on the transition timeline as ballot tabulation also needs to be considered. The Office of the City Clerk also requests a reasonable transition time that allows for adequate planning and budgeting. Finally, we note that while it may appear logical to phase in vote by mail from small counties to the largest, the ability to implement a vote by mail scheme is also dependent upon each county having a complete signature image database (for comparing signatures on envelopes) and we defer to the other counties as to whether those resources are presently available.

Thank you for this opportunity to testify on HB 124 H.D. 1



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

February 27, 2015

LATE

TESTIMONY TO THE HOUSE COMMITTEE ON FINANCE

House Bill 124, House Draft 1 – Relating to Elections

The Disability and Communication Access Board (DCAB) supports House Bill 124, House Draft 1. The purpose of this bill is beginning with the primary election in 2016, to require the Office of Elections to implement elections by mail in a county with a population less than 100,000. In 2018, elections by mail will be held in one or more counties of similar size. Thereafter requires all federal, state, and county primary, special primary, general, special general, and special elections to be conducted by mail. Establishes voter service centers for the counties and islands, in lieu of traditional polling places. Requires voter service centers to provide services such as voter registration. The bill also appropriates funds.

DCAB worked cooperatively with the Office of Elections when the Help America Vote Act (HAVA) of 2002 was initially passed. We housed the Election Specialist position for the first three (3) years of the HAVA grant by providing technical assistance related to disability and accessibility issues as they related to voting. We assisted the Office of Elections with surveying polling places to ensure the facilities were accessible and in selecting accessible voting equipment to ensure individuals with disabilities could vote independently and privately. The Election Specialist has since relocated to the Office of Elections to provide disability-related expertise as part of the elections staff.

DCAB continues to support efforts of the Office of Elections to provide technical assistance related to accessibility so that voters with disabilities can continue to exercise the right to vote independently at the polling place. We have no objection to phasing in all-mail elections or offering open voter service centers on Election Day as long as the site is accessible. We defer to the Office of Elections regarding the amount of funding necessary to transition to an all-mail voting process.

Thank you for the opportunity to testify.

Respectfully submitted,

Handwritten signature of Barbara Fischlowitz-Leong in black ink.

BARBARA FISCHLOWITZ-LEONG
Chairperson
Legislative Committee

Handwritten signature of Francine Wai in black ink.

FRANCINE WAI
Executive Director

RICKY R. WATANABE
County Clerk

Telephone: (808) 241-4800
TTY: (808) 241-5116



JADE K. FOUNTAIN-TANIGAWA
Deputy County Clerk

Facsimile: (808) 241-6207
E-mail: elections@kauai.gov

ELECTIONS DIVISION
OFFICE OF THE COUNTY CLERK
4386 RICE STREET, SUITE 101
LĪHUʻE, KAUAʻI, HAWAII 96766-1819

LATE

TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA
DEPUTY COUNTY CLERK, COUNTY OF KAUAʻI
TO THE HOUSE COMMITTEE ON FINANCE
ON HOUSE BILL NO. 124, HOUSE DRAFT 1
RELATING TO ELECTIONS

February 27, 2015

Chair Luke and Committee Members:

Thank you for the opportunity to testify in support of House Bill No. 124, HD 1. This Bill proposes to establish elections-by-mail for all elections in a county with a population of less than 100,000 beginning with the 2016 Primary Election, and for all elections statewide beginning with the 2018 Election.

Although we support the Bill, we are concerned with several sections and offer the following comments and recommendations for your consideration.

Page 1 (Section 11-A, lines 7-8).

In addition to Kauaʻi county, it appears that the County of Kalawao (Kalaupapa) would also be required to implement applicable portions of sections 1 and 10 of the Bill beginning in 2016 since it also has a population of less than 100,000.

Page 2 (Section 11-B).

Please consider specifying that a ballot package shall automatically be mailed to the mailing address contained in a voter's registration record, unless a separate application is submitted requesting that the ballot package be temporarily mailed to an alternate address.

In item c, please consider requiring a voter to apply to have a replacement ballot package mailed to an address different from that of the initial ballot package. This would document that the replacement ballot package was mailed to an alternate address at the voter's request.

Finally, please consider specifying that any application to temporarily mail a ballot to an alternate address shall be valid only for elections occurring in the year that the application was processed.

Page 5 (Section 11-D, lines 15-16).

Please consider removing the language requiring that voter service centers be located at the office of the respective county clerks, and instead, clearly state that the respective county clerks have the authority to designate and establish voter service centers in areas/facilities that they deem appropriate. Providing this authority allows the county clerks the necessary flexibility to establish services at appropriate facilities and sites.

Page 19 (Section 11-91.5, lines 7-10).

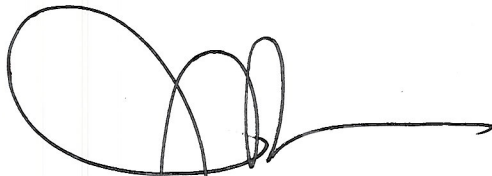
This section would make the State (Office of Elections) responsible for preparing, mailing, receiving, and processing ballots received by mail. The Counties are currently responsible for these functions (the State is responsible for tabulating mail ballots). By shifting these responsibilities to the State, is it the intent of the Legislature to consolidate these functions to a central location on O'ahu, or will the State establish a presence on the neighbor islands?

General Comment.

Elections-by-mail requires a major overhaul of the State of Hawai'i election statutes. As such, if possible, we ask that the Legislature eventually consider a complete re-write of Hawai'i election laws to ensure that language is clear and removes any possible conflicts with earlier statutes. During discussions with Oregon election officials, they noted that should they have taken the time to do this, it would have greatly eased their transition to elections-by-mail.

Elections-by-mail will right-size operations and extend actual voting services to every registered voter in the State. With more voters opting to vote by mail in each succeeding election, we believe that the time is right to entirely transition to elections-by-mail and respectfully request your support of this Bill.

Thank you for this opportunity to testify in support of House Bill No. 124, HD 1.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

JADE K. FOUNTAIN-TANIGAWA
Deputy County Clerk