

**STATE OF HAWAII
OFFICE OF ELECTIONS**

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SCOTT T. NAGO
CHIEF ELECTION OFFICER

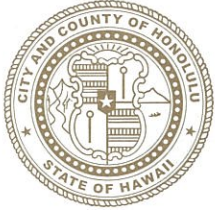
TESTIMONY OF THE
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS
TO THE HOUSE COMMITTEE ON FINANCE
ON HOUSE BILL NO. 1654
RELATING TO ABSENTEE BALLOTS

February 25, 2016

Chair Luke and members of the House Committee on Finance, thank you for the opportunity to testify in support of House Bill No. 1654. The purpose of this bill is to authorize the electronic transmission and return of absentee ballots by voters within five days of an election.

This bill addresses situations in which a voter has not received a ballot, needs a replacement ballot, or otherwise is not able to return their ballot to election officials by the close of polls. Under the current law, HRS § 15-5(d), beginning with the fifth day prior to an election, the only voters that are covered in such a situation are military and overseas voters, who are covered by the protections of chapter 15D, HRS (i.e., the Uniform Military and Overseas Voters Act). This bill allows all voters, such as voters who are on the mainland due to a family emergency, or someone at college who has spoiled their ballot, to electronically transmit and return a ballot within five days of an election.

Thank you for the opportunity to testify in support of House Bill No. 1654.



GLEN I. TAKAHASHI
CITY CLERK

KIMBERLY L. RIBELLIA
DEPUTY CITY CLERK

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CITY AND COUNTY OF HONOLULU
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TESTIMONY OF GLEN TAKAHASHI
CITY CLERK, CITY AND COUNTY OF HONOLULU
TO THE HOUSE COMMITTEE ON FINANCE
ON HOUSE BILL NO. 1654
RELATING TO ABSENTEE BALLOTS

February 25, 2016

Chair Luke and Committee members:

Thank you for the opportunity to testify in support of House Bill No. 1654. The purpose of this bill is to allow the electronic transmission of absentee ballots within 5 days of an election.

As the number of absentee mail voters continue to rise, so does the potential need to replace a voter's ballot for reasons of spoilage, postal non-delivery, etc. This bill would authorize the electronic delivery of replacement ballots during the final week prior to the election and allow the option to return a voted ballot electronically (e.g. as an email attachment).

In 2014, the Office of the City Clerk's Elections Division partnered with the Hawaii Information Consortium to create a secure web-based ballot delivery system for use by overseas voters in 2014 (see attached screenshots). The system was launched for the first time in the last General Election in anticipation that the 2016 presidential election will be accompanied by an increase in requests originating from military voters and expatriates overseas that face unique challenges with postal delivery.

The City's online delivery system notifies the voter by email when ballots are ready for retrieval. The email contains a link to his or her personalized voting documents that include:

- A personalized waiver of secrecy/affirmation statement;
- The correct precinct ballot for that voter; and
- Additional voting instructions as necessary.

The voter is responsible for printing the documents and either mailing or faxing the completed documents to election officials by the close of polls on election day.

Allowing replacement ballots by electronic delivery to an additional category of voter would require some programming modifications but is otherwise possible if this legislation were to be enacted.

Thank you for the opportunity to testify in support of HB 1654.

Honolulu Online Ballot Delivery System Screen Captures

This screenshot shows the initial search page of the Honolulu Online Absentee Ballots website. The browser address bar displays <https://avb.ehawaii.gov/avb/#/>. The page header includes the site title "Online Absentee Ballots" and navigation links for "FAQ" and "Help Chat". The main content area features the City & County of Honolulu logo and a large heading "Online Absentee Ballots" with the subtitle "Office of the City Clerk, City & County of Honolulu". A blue checkmark icon is visible in the top right corner.

The main heading is followed by a welcome message: "Welcome to Honolulu's online ballot website". Below this, a sub-heading states: "This service is for Honolulu's military/overseas absentee voters who have requested an absentee ballot." The instructions read: "Enter your Application Number, District, and Precinct to download your Absentee Voter Ballot PDF*".

The search form consists of three input fields: "Application #", "District" (with the value "42" entered), and "Precinct" (with the value "01" selected from a dropdown menu). A blue "Submit" button is located below the form.

Below the form, a section titled "*The Absentee Voter Ballot PDF will contain the following:" lists three items: 1. Waiver (This must be signed and submitted with your ballot for the ballot to be counted.), 2. Ballot form, and 3. Envelope facsimile for mailing back your Waiver & Ballot.

A "Questions?" section follows, with the instruction: "Read the [Frequently Asked Questions](#) and if your question is not there, email clerks@honolulu.gov or call (808) 768-3800 on weekdays between 7:45 AM-4:30 PM HST."

The footer contains the contact information for the Office of the City Clerk: "530 South King Street, Room 100, Honolulu, Hawaii 96813". It also includes a copyright notice: "Copyright © 2014. All rights reserved." and a note: "Powered by [HIC](#)". Links for "Accessibility", "Contact", "Feedback", "Privacy Policy", and "Terms of Use" are provided.

The Windows taskbar at the bottom shows the system time as 4:41 PM on 1/26/2016.

This screenshot shows the results page of the Honolulu Online Absentee Ballots website. The browser address bar displays <https://avb.ehawaii.gov/avb/#/result>. The page layout is identical to the first screenshot, including the header, logo, and main heading.

The main heading is followed by the same welcome message and instructions. Below the instructions, a blue box contains the text: "You may download your Absentee Voter Ballot PDF* below".

The search results are displayed in a white box with the following information: "Name" (redacted with a blue bar), "District: 42", and "Precinct: 01". A blue "Download" button is located below the results.

To the right of the results box, the same list of contents for the PDF is shown: "*The Absentee Voter Ballot PDF will contain the following:" followed by 1. Waiver (This must be signed and submitted with your ballot for the ballot to be counted.), 2. Ballot form, and 3. Envelope facsimile for mailing back your Waiver & Ballot.

The "Questions?" section is also present, with the same instruction to read the [Frequently Asked Questions](#) or contact the City Clerk via email or phone.

The footer contains the same contact information, copyright notice, and links as the first screenshot.

The Windows taskbar at the bottom shows the system time as 4:40 PM on 1/26/2016.

JADE K. FOUNTAIN-TANIGAWA
County Clerk

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TTY: (808) 241-5116



SCOTT K. SATO
Deputy County Clerk

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**ELECTIONS DIVISION
OFFICE OF THE COUNTY CLERK**
4386 RICE STREET, SUITE 101
LIHU'E, KAUA'I, HAWAI'I 96766-1819

**TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA
COUNTY CLERK, COUNTY OF KAUA'I
TO THE HOUSE COMMITTEE ON FINANCE
ON HOUSE BILL NO. 1654
RELATING TO ABSENTEE BALLOTS**

February 25, 2016

Chair Luke and Committee Members:

Thank you for the opportunity to provide written testimony in support of House Bill No. 1654. This Bill proposes to allow a permanent absentee voter to receive a ballot at an alternate address within an election cycle. Additionally, this Bill would also allow for the electronic transmission of absentee ballots for voters who have either not received or require a replacement ballot within five (5) days of an election.

Currently, the statutes governing the Permanent Absentee Ballot (PAB) voting process are silent regarding PAB voters who need to have ballots temporarily mailed to an alternate address that is different from what is contained in the voter's file. Although County election officials have developed an administrative process to address this situation, this Bill will clarify and codify the established practices.

The Bill also defines "electronic transmission" and authorizes blank (unvoted) or voted ballots to be transmitted electronically to and from absentee mail voters who have not received a ballot or need a replacement ballot within five (5) days of an election. Allowing for the electronic transmission of ballots provides a practical and expeditious means of casting a ballot and is consistent with our overall efforts to maximize voter participation.

Thank you for this opportunity to provide testimony in support of House Bill No. 1654.

JADE K. FOUNTAIN-TANIGAWA
County Clerk, County of Kaua'i

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
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TESTIMONY OF DANNY A. MATEO
COUNTY CLERK, COUNTY OF MAUI
TO THE HOUSE COMMITTEE ON FINANCE
ON HOUSE BILL NO. 1654
RELATING TO ABSENTEE BALLOTS
FEBRUARY 25, 2016

Chair Luke and members of the House Committee on Finance, thank you for the opportunity to testify in support of House Bill No. 1654. The purpose of this bill allows a voter to receive an absentee ballot by electronic transmission and return of the absentee ballot within five days of an election.

This bill will allow ballots to be electronically transmitted to and returned by voters within five days of an election. This will benefit not only the military and overseas voters who are already able to do so, but regular voters who may be away and spoiled their ballot or called away on a family emergency and are unable to receive or return a ballot by mail by the close of polls on election day.

Thank you for the opportunity to testify in support of House Bill No. 1654.



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

COMMITTEE ON FINANCE
Thursday, February 25, 2016, 3:00 P.M., Room 308
HB 1654, RELATING TO ABSENTEE BALLOTS

TESTIMONY

Janet Mason, Legislative Co-Chair, League of Women Voters of Hawaii

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

The League of Women Voters of Hawaii supports HB1654 which clarifies and modernizes many procedural questions related to absentee ballots.

The way Hawaii votes is changing, and absentee voting and permanent absentee voting have become more popular in the past five years. This bill addresses how we live now. For example, if someone is temporarily away from Hawaii for a single election cycle, it should be possible to receive a ballot at a temporary address. The "one election cycle" limit makes sense to us; otherwise doubts about the person's permanent address for receiving absentee ballots becomes unclear.

References to facsimile transmission of ballots for the more generic "electronic" transmission of ballots is appropriate; as other forms of electronic transmission such as email are now widely available. In fact, if an absentee ballot is lost or destroyed, electronic transmission is the only practical answer if the voter finds himself or herself five days or less from the deadline to return a ballot (i.e. close of voting on election day). Electronic transmission is a failsafe mechanism to guard against disenfranchising voters under such circumstances.

We urge you to pass this bill. Thank you for the opportunity to submit testimony.