

**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 JUDICIARY
ON SENATE BILL NO. 2117, SD 1
RELATING TO ABSENTEE BALLOTS

March 10, 2016

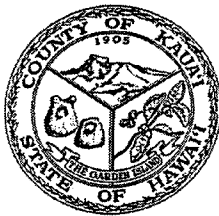
Chair Rhoads and members of the House Committee on Judiciary, thank you for the opportunity to testify in support of Senate Bill No. 2117, SD 1. The purpose of this bill is to authorize the electronic transmission and return of absentee ballots by voters within five days of an election.

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(b), beginning with the fifth day prior to an election, the only voters who 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 Senate Bill No. 2117, SD 1.

JADE K. FOUNTAIN-TANIGAWA
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**ELECTIONS DIVISION
OFFICE OF THE COUNTY CLERK**

4386 RICE STREET, SUITE 101
LIHU'E, KAUA'I, HAWAII 96766-1819

**TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA
COUNTY CLERK, COUNTY OF KAUA'I
TO THE HOUSE COMMITTEE ON JUDICIARY
ON SENATE BILL NO. 2117, SD 1
RELATING TO ABSENTEE BALLOTS**

March 10, 2016

Chair Rhoads and Committee Members:

Thank you for the opportunity to provide written testimony in support of Senate Bill No. 2117, SD 1. This Bill proposes to allow a permanent absentee ballot voter to receive ballots at an alternate address for elections within an election cycle. Additionally, the Bill would 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.

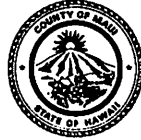
Currently, statutes governing the Permanent Absentee Ballot (PAB) voting process are silent regarding PAB voters who need to have ballots temporarily mailed to an alternate address that is different from that contained in the voter's file. Although County election officials have developed an administrative work-around 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 for casting a ballot and is consistent with our overall efforts to maximize voter participation.

Thank you again for this opportunity to provide written testimony in support of Senate Bill No. 2117, SD 1.

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

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 HOUSE COMMITTEE ON JUDICIARY
ON SENATE BILL NO. 2117, SD 1
RELATING TO ABSENTEE BALLOTS
MARCH 10, 2016

Chair Rhoads and members of the House Committee on Judiciary, thank you for the opportunity to testify in support of Senate Bill No. 2117, SD 1. 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 Senate Bill No. 2117, SD 1.



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COMMITTEE ON JUDICIARY
Thursday, March 10, 2016, 3:15 P.M., Room 308
SB2117 SD1, 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 HBSB2117 SD1 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 becomes unclear.

References to replace “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.