

**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 JUDICIARY AND LABOR  
ON SENATE BILL NO. 287  
RELATING TO ELECTIONS

February 4, 2015

Chair Keith-Agaran and members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to testify on Senate Bill No. 287. The purpose of this bill is to require the Office of Elections to implement all-mail elections by 2018.

The Office of Elections is in support of all-mail elections. We believe the transition 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 locations; (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 minor variation on the current absentee walk component. With that in mind, we have a variety of technical concerns regarding this bill.

This bill envisions that the Office of Elections will implement elections by mail in the County of Kauai (i.e. a county with a population less than 100,000) in 2016 and that the rest of the state would transition to all-mail by 2018. While we agree that an incremental implementation would be the best approach for the State of Hawaii, we believe it would not be appropriate to migrate the rest of the state immediately. Instead, we would recommend that the County of Maui and

the County of Hawaii would introduce all-mail in 2018, and the City and County of Honolulu, no earlier than 2020.

The bill as drafted raises a variety of operational issues that may inhibit the ability of all-mail elections to be successfully implemented. As such, we would recommend more streamlined language that makes minimal changes to our current laws but authorizes all-mail elections to be utilized for regularly scheduled elections, as opposed to our current laws that only permit all-mail elections for special elections. Specifically, we would recommend the following:

**HRS § 11-91.5. Federal, state, and county elections by mail.** (a)

Any federal, state, or county election [~~held other than on the date of a regularly scheduled primary or general election~~] may be conducted in whole or in part by mail. This includes the ability to designate specific precincts or counties that will be conducted by mail, in whole or in part.

(b) The chief election officer shall determine whether a federal [~~or state election, other than a regularly scheduled primary or general election,~~] election, state election, or an election involving state and county offices, may be conducted by mail [~~or at~~], polling places, or a combination of mail and polling places.

(c) The county clerk shall determine whether a solely county election, held other than on the date of a regularly scheduled primary or general election, may be conducted by mail [~~or at~~], polling places, or a combination of mail and polling places. An election by mail in the county shall be under the supervision of the county clerk.

(d) Voters may vote by absentee ballot at an absentee walk polling place. For purposes of an election by mail, at least one absentee walk polling place shall be designated by the county clerk to be open on the day of the election. In the event of a state or federal only mail election, the chief election officer shall designate at least one absentee walk polling place to be open on the day of the election.

(e) Election expenses in mail elections shall be shared and set forth as follows:

(1) Expenses related to mail elections involving both state and county offices, or federal and county offices, unrelated to voter registration shall be divided in half between the State and the counties. Each county will pay a proration of expenses as a proportion of the registered voters at the time of the general election. The counties will separately be responsible for expenses associated with voter registration and absentee voting.

(2) All expenses for county mail elections, which do not involve state or federal offices, shall be borne by the county and paid out of such appropriations as may be made by the council.

(3) All expenses for state or federal mail elections, which do not involve county offices, shall be borne by the State and paid out of such appropriations as may be made by the legislature. Expenses attributable to registration of voters by the county clerk, for said state or federal elections, which do not involve county offices, shall be borne by the State and paid out of such appropriations as may be made by the legislature.

(f) Election responsibilities in mail elections shall be shared and set forth as follows:

(1) In mail elections involving both state and county offices, or federal and county offices, the counties will continue to be responsible for voter registration and absentee walk voting, while the State will be responsible for the mailing, receipt, processing, and tabulation of ballots.

(2) The county will be responsible for mail elections involving only county offices.

(3) For mail elections involving only state or federal offices, the counties will continue to be responsible for voter registration and absentee walk voting, while the State will be responsible for the mailing, receipt, processing, and tabulation of ballots.

~~(d)~~ (g) The chief election officer shall adopt rules pursuant to chapter 91 to provide for uniformity in the conduct of federal, state, and county elections by mail.

As it relates to the administrative rules for all-mail elections referenced in HRS § 11-91.5, those rules were promulgated in 2010, and can be further modified through the migration process, as necessary. Additionally, the proposed language would give the Chief Election Officer the ability to adjust the migration depending on issues of funding and public support for all-mail that may occur during the migration. This recommendation runs counter to Section 12 of the bill, on page 24, that removes HRS § 11-91.5 in its entirety, but we believe it would be prudent to allow the Chief Election Officer and the county clerks to have more control over the timing and manner of migration, in order to address any issue that may arise.

Furthermore, we would like to address the following operational issues and provide recommendations:

In regard to the proposed section entitled “**§11- Procedures for conducting elections by mail,**” on page 4 of the bill, we believe that the specific mailing date range should not be stated in the bill as there may be printing, mailing, and litigation issues that can make it difficult to guarantee a specific time period for mailing ballots for a particular election. We propose that the mailing time frame be prefaced with the words “to the extent possible.” Additionally, it is not operationally feasible to divide voters into the various categories that the bill proposes, such as out-of-state voters, voters who do not receive daily mail service, and voters who cannot receive mail but who request the ballot package to be delivered or made available for pickup.

The bill makes reference to a “place of deposit” in “**§11- Ballot instructions; ballot return,**” on page 6 of the bill, and defines the term, on page 10 of the bill.” The definition includes “any state public library or any other site designated by the chief election officer.” In order to avoid any confusion over whether libraries will or will not participate as a “place of deposit” we would recommend removing the reference to “any state public library.” Upon passage of this bill, we would have to reach out to various entities to see if they would be amenable to being a “place of deposit” and whether we could work out any security issues related to utilizing that location to accept ballots and ensuring that the place will be open until the close of polls, as various parts of the bill refer to ballots being received at a “place of deposit” no later than the close of polls.

In regard to “**§11- Replacement ballots,**” on pages 7 and 8, we would like to ask for clarification as to whether the term “delivery” used in subsection (b)(4) is meant to create an obligation on election officials to use an alternative to traditional mail, at the state’s expense, if requested by the voter.

As for “**§11- Counting of mail-in ballots,**” on pages 9-10, we believe the counting of ballots should be permitted to occur prior to election day, so long as election results are not reported until the close of polls on election day. Given the volume of ballots that would occur in an all-mail election, it would not be possible to scan all ballots on election day. Similar to the State of Oregon, we would need to begin the scanning process well in advance of the election and put in safeguards to ensure election results are not reported. We would recommend the following changes to subsection (a):

(a) The ~~[method of preparing]~~ counting of ballots may begin no sooner than the seventh day before the election. In the presence of official observers, counting center employees may ~~[start to]~~ count the ballots, but no results will be released to the public until the close of polls on election day. All handling and counting of the mailed-in ballots shall be according to procedures established by the chief election officer.

We have questions about the purpose of the changes to “**§11-92.1 Election Proclamation; [establishment of a new precinct.] precincts,**” in Section 6 of the bill on page 13, which states, in part, the following:

The chief election officer shall provide one or more precincts within a representative district as the chief elections officer deems necessary for voters who are unable to participate in elections conducted by mail pursuant to part \_\_\_\_\_. Limited polling places, to be established by each respective county clerk, shall be available on election day for absentee voting and to receive election-by-mail ballots.

It is not clear if the first sentence of this excerpt is requiring the establishment of a minimum of 51 polling places, each associated with one of the 51 representative districts, as the term “precinct” and “polling place” are sometimes used interchangeably, or if the bill simply grants election officials the ability to designate an unspecified amount of election day polling sites as they deem fit. If it is the latter, then the first sentence should be removed or rewritten to clarify what it means.

Similarly, the distinction between “precinct” and “polling place” should be clarified in Section 7 of the bill on pages 14 and 15, which amends “**§11-92.3 Consolidated or alternate precincts; natural disasters; postponement; absentee voting [required;] ; vote by mail; special elections.**” Specifically, the bill refers to consolidating precincts “or provide an alternate precinct.” We

would recommend changing the language to the following: “or establish a new polling place for the voters of the impacted precinct.”

As for Section 8, on pages 16-19 of the bill, regarding “**\$11-184 Election expenses and responsibilities in combined state and county elections[-] by mail.**” we believe the reference to “initial costs” and “subsequent costs” may not reflect how we would proceed with the migration. The terms envision significant “initial costs” that the State should bear and then some “subsequent costs” that can be split between the State and counties on an ongoing basis. This split of costs may make sense if we were to purchase the capital equipment and then expect the counties to assist with ongoing costs for maintenance, ballots, and similar election specific costs. At this time, we recommend a lease model of an all-mail system, similar to the lease model we have utilized since the migration to marksense voting in 1998. The lease model incorporates the professional maintenance and support, and we would continue to split the cost of the lease equally with the counties. As such, we would recommend the following language:

In a combined state and county election-by-mail, except for costs associated with voter registration, the costs shall be divided in half between the State and the counties. Each county will pay a proration of expenses as a proportion of the registered voters at the time of the general election. However, in a county only or state only election, the costs will be not be divided.

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 authorizing 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, Senate Bill No. 441, for consideration by the Legislature.

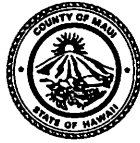
SECTION \_\_. Section 15-5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(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 [eovered] 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 on Senate Bill No. 287.

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 JUDICIARY AND LABOR  
ON SENATE BILL NO. 287  
RELATING TO ELECTIONS  
FEBRUARY 4, 2015

Chair Keith-Agaran and members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to testify on Senate Bill No. 287. The purpose of this bill requires the office of elections to implement elections by mail in a county with a population of less than 100,000, beginning with the 2016 primary election. By 2018, requires all federal, state, and county primary, special primary, general, special general, and special elections to be conducted by mail. It also enables absentee walk-in voting to continue prior to election day. Ensures limited polling sites in each county remain open on election day for absentee walk-in voting and to receive mail-in ballots. Appropriates funds for the implementation and administration of the election by mail program.

The Office of the County Clerk, County of Maui, supports Senate Bill No. 287, but we have technical concerns regarding this bill.

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.

In several sections of this bill it is unclear why there are references to requesting an absentee ballot or permanent absentee ballot since every registered voter will be mailed an election-by-mail ballot package. Is there a difference between each type of absentee ballot, if so, what is the difference? The exception would be if a registered voter is requesting that their ballot be mailed to a different mailing address (i.e. college student).



In regards to the proposed section "Procedures for conducting elections by mail," we recommend that the mailing dates not be stated in the bill because issues may arise that may make it difficult to adhere to such deadlines. Also, operationally it would be quite difficult to divide voters into categories of such mail out order.

Language within the bill should be clarified, including but not limited to, the use of the terms "precinct" and "polling place". As one example, section 6, "§11.92-1 Election Proclamation;" says that the chief election officer shall provide "...one or more precincts within a representative district as the chief elections officer deems necessary for voters who are unable to participate in elections conducted by mail...". Use of the term "precincts" seems to be used in place of "polling places". Clarification would assist our office in implementation of the bill.

Our office supports centralized 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.

The counting of ballots should be allowed to begin prior to election day, with all security and confidentiality concerns addressed prior to the implementation of the bill. In the 2014 General Election, our office received back 18,182 ballots by mail. It took our absentee mail team approximately 10 hours to process these ballots on election day. Assuming the 2014 General Election was conducted by mail, with the exact same turnout as our county experienced, we would have received 27,823 more mail in ballots. This would have taken our absentee team, as currently constructed, an additional approximately 15 hours to complete, putting the total at 25 hours, or approximately 9 am on the day following the election. If all mail elections does increase voter turnout, this time period for completion will only increase.

Safeguards should be in place for voters who do not receive their ballots or spoil them. Our office supports SB 441, which would assist in ensuring that when elections are conducted by mail, that individuals will have the ability to receive replacement ballots when time is of the essence.

In Oregon, Multnomah County has over 400,000 registered voters and provides only one (1) early vote site located at their county elections office. They also provide several drop box locations because they do not provide return mail postage. Since we do provide return mail postage, we would request that the places of deposit be limited to the post offices and the county elections offices, to keep costs lower for the State and counties, and address inefficiencies and operational concerns.

Thank you for the opportunity to testify on Senate Bill No. 287.

**RICKY R. WATANABE**  
County Clerk

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**TESTIMONY OF RICKY R. WATANABE**  
**COUNTY CLERK, COUNTY OF KAUA'I**  
**TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR**  
**ON SENATE BILL NO. 287**  
**RELATING TO ELECTIONS**  
February 4, 2015

Chair Keith-Agaran and Committee Members:

Thank you for the opportunity to testify in support of Senate Bill No. 287. This Bill proposes establishing 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 elections.

Our current polling place based voting model utilizes a substantial portion of available resources yet is limited to providing direct service only to voters who take the time to go to the polls on Election Day. Though absentee mail and early voting are available, these services also require a voter to initiate the process before voting can actually occur.

The voting process should be as effortless as possible for voters and we believe that this is a key to increasing voter turnout so wholeheartedly support a transition to elections-by-mail since this will allow the Counties to automatically mail a ballot package to every properly registered voter.

While we generally support the Bill, we do have concerns with several portions and offer the following comments and recommendations for consideration.

- Please consider amending the Bill to specify that ballot packages shall be mailed to the mailing address contained in each voter's registration record, unless a separate application is submit to request that a ballot be mailed temporarily to an alternate address. Also, please consider specifying that the application to temporarily mail a ballot to an alternate address shall be valid only for elections occurring in the year that the application was received.
- Page 7 (lines 11-13). Please consider eliminating the application requirement for voters needing a replacement ballot, if the replacement ballot's delivery address is the same address as for the initial ballot. We believe this requirement is somewhat burdensome, especially for voters who may be

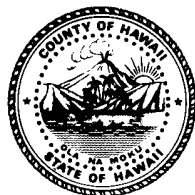
away temporarily or may have difficulty accessing the services required to submit an application. The Counties already utilize replacement ballot procedures which are convenient for voters, and secure enough to maintain the integrity and security of the mail voting process.

- Page 13 (lines 20-21), page 14 (lines 1-2), and page 20 (lines 7-10). Please consider removing requirements which establish limited polling sites within each representative district. In addition to making voting services as effortless as possible for voters, we also believe the administration of elections should be as uncomplicated as possible. At present, Hawai'i actually conducts three (3) elections during each Primary and General Election: 1) absentee mail elections, 2) early voting elections, and 3) polling place elections on Election Day. Each election is separate and distinct, and requires its own unique operations and support structure. Continuing to require limited absentee and Election Day polling places, while implementing elections-by-mail will increase the overall complexity of elections and almost certainly drive up expenses since savings, if any, from a limited reduction in physical polling places will probably be insufficient to offset increased postage costs and related expenses.

Elections-by-mail will be a major change to Hawai'i elections but it will right-size operations and extend actual voting service to every registered voter in the State. With more voters opting to vote by mail in each succeeding election, we believe the time is right for transitioning entirely to elections-by-mail and respectfully request that you seriously consider our comments and recommendations, and support this Bill

Thank you for this opportunity to testify in support of Senate Bill No. 287.

STEWART MAEDA  
*County Clerk*



JON HENRICKS  
*Deputy County Clerk*

**OFFICE OF THE COUNTY CLERK**

**Elections Division**  
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TESTIMONY OF STEWART MAEDA

COUNTY CLERK, COUNTY OF HAWAII

TO THE SENATE COMMITTEE JUDICIARY AND LABOR

ON SENATE BILL NO. 287

RELATING TO ELECTIONS

FEBRUARY 4, 2015

Chair Keith-Agaran and members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to testify on Senate Bill No 287. The purpose of this bill is to require the Office of Elections to implement elections by mail by 2018.

The Office of the County Clerk, County of Hawai'i supports all mail elections, but have technical concerns with Bill No. 287.

The bill raises questions as to the differences between an absentee mail ballot and a permanent absentee ballot since all voters will be mailed an election-by-mail package. The intent of the bill is to provide all registered voters an election-by-mail package this would also include all permanent absentee voters. A difference would arise when a voter requests that their ballot be mailed to an address other than their permanent mailing address.

In the proposed section "Procedures for conducting election by mail," we suggest the mailing dates not be stated in the bill. Issues may arise making it difficult to meet the specific period for meeting these deadlines. It would not be operationally feasible to divide voters into the categories which the bill proposes.

We support the counting of ballots prior to election day. Given the volume of ballots that will be processed in an all-mail election it would be difficult to scan all of the ballots on election day. We recommend having safeguards in place to ensure election results are not released before election day.

February 4, 2014

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We would also request clarity regarding ballot packages being available for delivery. Due to the demographics of the County of Hawai'i, delivery of ballot packages would pose a logistical concern as well as additional expense.

Thank you for the opportunity to testify on Senate Bill No. 287.



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COMMITTEE ON JUDICIARY AND LABOR

February 4, 2015, 9:00 A.M., Conference Room 016

SB 287 RELATING TO ELECTIONS  
TESTIMONY

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

Chair Keith-Agaran, Vice Chair Shimabukuro, and Committee Members:

**The League of Women Voters of Hawai'i supports SB 287 and strongly supports establishment of an all ballot by mail system in Hawai'i. We would like to comment on SB 287 which would require the office of elections to implement elections by mail in a county with a population of less than 100,000 beginning with the 2016 primary and implement a system of all elections by mail in the State by 2018. The bill further enables absentee walk-in voting to continue prior to Election Day and ensures limited polling sites in each county remain open on Election Day for absentee walk-in voting and to receive mail-in ballots.**

We urge the establishment of vote-by-mail elections in the State of Hawai'i. According to the National Conference of State Legislatures there are at least twenty-two states that allow certain elections to be conducted by mail and the states of Oregon, Washington and Colorado conduct mail-in voting for all elections. Voting by mail has become increasingly popular in Hawai'i. For statewide primary elections mail-in ballots accounted for 42.4% of total ballots cast in 2010, 45.9% of primary ballots in 2012 and 51.2% of primary ballots in 2014. For Hawai'i General Elections, mail-in absentee ballots accounted for 42.4% in 2010, 45.9% of the vote on 2012 and 51.2% of the vote in 2014. <sup>1</sup>

Vote-by-mail systems have several advantages over the current polling place elections currently conducted in the State. There is a potential of significant cost savings in a vote-by-mail system. It will no longer be necessary to recruit, train and pay the hundreds of poll workers now needed in the state's 247 polling places. Hawai'i currently has the lowest percentage turnout of voters of any state. In the 2016 general election only 52.3% of registered voters cast ballots in the election which represents only 34.9% percent of eligible citizens casting ballots. Vote-by-mail systems have increased the voter turnout by making ballots available to each registered voter. Hawai'i conducted the special congressional election in District 1 in 2010. The turnout in that special election was 54%

The League of Women Voters supports the establishment of vote-by-mail elections. But we should not underestimate the fact that this would be a major process change. Adequate voter education, sufficient time to acquire and test additional ballot scanning and/or counting equipment, select drop off locations,

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<sup>1</sup> Hawai'i State Office of Elections: <http://hawaii.gov/elections>



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etc. is necessary to ensure success. For this reason, we believe that it would be appropriate to implement voting-by-mail in stages. We recommend an approach that allows Kaua'i County to begin vote-by-mail elections in 2016, adding Maui and Hawai'i Counties in 2018 and conducting vote-by-mail elections in all counties beginning with the primary of 2020. This approach will allow the office of elections and the county clerks to systematically implement vote-by

There are some items of concern in the current bill. Section 11(4)(d) of the bill states "If a voter requests that a ballot package be mailed outside of the State, the county clerk shall mail a ballot package by nonforwardable mail to the voter no later than the twenty-ninth day before the election." This section does not take into account requests for ballots packages that may be received by the county clerk after the twenty-ninth day before the election. Therefore we believe that the section should be amended to state that the ballot package should be mailed no "sooner" than the twenty-ninth day before the election. This would not apply to overseas and military voters covered by the Military and Overseas Voter Empowerment Act of 2009. Ballots for military and overseas voters must be mailed forty-five days before an election.

The bill currently states that public notice of the mailing of ballots shall be made pursuant to HRS 1-28.5 which requires a legal notice in a daily or weekly publication. To ensure the widest distribution of this information we suggest that the bill be amended to also require that chief elections officer and/or county clerk issue a general news release and post the information on the state office of elections and county clerk websites.

Do to the time sensitive nature of elections we believe that the section of the bill dealing with replacement ballots for voters who have lost or destroyed their ballot should be amended to allow a voter to request a replacement ballot by telephone or electronically. Procedures for this could be modeled after other states which have all-mail voting such as Oregon. Replacement ballots are covered in Oregon Revised Statutes 254.480(1) which states in part, "The request for a replacement ballot may be made electronically, by telephone, in writing, in person or by other means designated by the Secretary of State by rule."

We have concerns about the section 11(a) of the bill which states, "Counting of mail-in ballots. (a) The method of preparing ballots for counting may begin no sooner than the seventh day before the election." This language needs to be changed. The shift to elections by mail will require new policies and procedures to ensure that the ballots are secure and that they are processed and counted in a timely manner. In the general election of 2014 there were a total of 189,107 absentee ballots processed statewide. Assuming that a mail ballot election would result in a turnout of 54% (as in the 2010 special congressional election) there would be over 381,000 mail ballots to process. It would be advisable to allow election officials to begin the process of signature verification as soon as the ballots are received from the voter as is presently the case.

Currently in Hawai'i mail ballot envelopes are not opened until election morning which results in voted ballots not arriving at the counting stations until late morning. In the 2014 primary elections counting of



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absentee ballot was not completed until after midnight. To ensure that ballots are counted in a timely manner it is advisable that the legislature allow the chief elections office to establish procedures which allow ballot envelopes to be opened and scanned prior to Election Day. Several states allow ballot envelopes to be opened and ballots to be scanned prior to Election Day so long as results are not released prior to the scheduled close of polls. As examples, California allows ballots to be opened and scanned seven business days before an election, Oregon seven calendar days before an election and Colorado ten days before an election.<sup>ii</sup> Hawai'i should allow the processing of mail ballots prior to Election Day to ensure that the most complete results are available to the public on election night.

The section of this bill which defines a ballot includes language which says "It shall also include the face of the mechanical voting machine when arranged with cardboard or other material within the ballot frames, containing the names of the candidates and questions to be voted on." This appears to old language referring to lever voting machines which are no longer in use. We suggest that this language be taken from the bill and new language that reflects the use of electronic voting devices be put in its place.

Finally we suggest that the language in the bill dealing with removal of voters from the register be reviewed to ensure that it complies with the National Voter Registration Act.

The League of Women Voters of Hawai'i strongly supports the establishment of vote-by-mail elections in this State and hope that our comments on this bill will help. Our members are experienced, trusted volunteers in election and voting operations, including voter registration drives, working at polling places, counting centers and the State control center. We urge you to consider our comments and thank you for the opportunity to submit testimony.

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<sup>ii</sup> California Elections Code 15101, Oregon Revised Statutes 254.478, Colorado Statutes 1-7.5-107.5





House Judiciary Committee  
Chair Gilbert Keith-Agaran, Vice Chair Maile Shimabukuro

Wednesday 02/04/2015 at 9:00 AM in Room 016  
SB287 Relating to the Elections

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

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Dear Chair Keith-Agaran, Vice Chair Shimabukuro and members of the Senate Judiciary and Labor Committee:

**Common Cause Hawaii supports the intent of SB287**, requiring the Office of Elections to implement a system of elections by mail. One of Common Cause's core beliefs is that increased citizen participation in the legislative and electoral processes leads to a thriving democracy.

To attain this as a standard, it is important that methods of empowering the voting public be maximized to counter the perceived voter apathy and other factors that have led to a decrease in voter participation in recent years. We believe the intent of this bill achieves that goal in numerous ways; the first of which being the basic voter preference for Voting by Mail. This bill also provides an opportunity to reasonably address the consistently low voter turnout in Hawaii. Although there may be other contributing factors, voter turnout is rated good-excellent in states such as Washington, Oregon, and Colorado, where voting by mail has become standardized for all elections.

Although statewide Voting by Mail has yet to be fully implemented locally, it has been successfully utilized in Hawaii as recently as the 2010 1<sup>st</sup> Congressional District election. 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 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, voting by mail seems the obvious choice. Additionally, tax dollars can be saved by the reduced need for as many walk-in voter service centers that accompanies a voting by mail system; a system which will only be further complimented by the 2016 implementation of same-day and online voter registration.

Thank you for the opportunity to testify in support of the intent of SB287.

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**Subject:** Submitted testimony for SB287 on Feb 4, 2015 09:00AM  
**Date:** Sunday, February 01, 2015 11:04:39 PM

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**SB287**

Submitted on: 2/1/2015

Testimony for JDL on Feb 4, 2015 09:00AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Arianna Feinberg	Individual	Support	No

Comments: Aloha, I support this bill but think it should be implemented in 2016 and not 2018. Please make this change as soon as possible so that we can have the chance at increasing the amount of voters in Hawaii. Our current rates are embarrassing and we need to try something different. I think a quick transition to mail in ballots and a few polling places would be worth trying. In Berkeley and other places they send out a booklet with all the candidates information and views plus the full writing of the ballot initiatives etc. I think it would be great if we could give voters the option of getting comprehensive objective information sent with their ballot. Or the voter can opt to not have it sent and just get the info online. Please pass this bill and consider using the money saved from less polling places to fund informational booklets or pdfs. Thank you for your time, consideration and service to our state  
Thanks, Arianna

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