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TESTIMONY OF THE  
CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS  
TO THE SENATE COMMITTEE ON WAYS AND MEANS  
ON SENATE BILL NO. 247 SD 1  
RELATING TO ELECTIONS

February 22, 2017

Chair Tokuda and members of the Senate Committee on Ways and Means, thank you for the opportunity to provide testimony on Senate Bill No. 247 SD 1. This bill authorizes recounts when the margin of victory is less than two hundred fifty votes or less than one per cent of the votes cast, whichever is less. While the Office of Elections takes no position on this bill, we offer the following comments.

We believe that this bill should clarify the effects on the results of the recount. All contests on the affected ballots will be counted through the vote counting system. For example, a recount for a statewide office such as President, Governor, U.S. Senator, or Office of Hawaiian Affairs Trustee requires all ballots to be scanned through the vote counting system. As such, all contests on the ballots will be recounted and produce new result reports. It should be clarified that the results of contests other than the close contest that triggered the recount can be certified, or if those results could be altered if the recount indicates that the results of other contests on the same ballot should be changed. If the results of other contests are permitted to be changed, it should be clarified that no further recount will be permitted, even if the difference in those contests now meet the threshold for a recount.

Additionally, we propose amending the contest deadline to "no later than 4:30 p.m. on the thirteenth calendar day following the election or the third calendar day following a recount, whichever occurs first." This allows time to proof, approve, and print the general election ballot.

Thank you for the opportunity to provide comments on Senate Bill No. 247 SD 1.