

**STATE OF HAWAII  
OFFICE OF ELECTIONS**

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

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. 428  
RELATING TO ELECTIONS

February 3, 2017

Chair Keith-Agaran and members of the Senate Committee on Judiciary and Labor, thank you for the opportunity to testify in support of Senate Bill No. 428. The purpose of this bill is to transition to all mail elections.

We support the two-step implementation of elections by mail proposed in this bill. Given our strong support for all mail elections, we believe the bill should permit election officials the flexibility to be able to implement all mail elections earlier. Specifically, election officials should be given the ability as early as 2018 to implement all mail elections in particular precincts or counties, as they deem appropriate. Additionally, we propose the following clarifying amendments.

We believe the bill should be amended for consistency to define the roles and responsibilities of the Office of Elections and the county clerks. The bill states that the chief election officer and clerks will determine and provide for voter service centers and places of deposit. However, this is inconsistent with proposed §11-I which provides that voter services centers will be established at the office of the county clerks and that the county clerks may designate places of deposit.

We suggest amending subsection (c) of proposed §11-B, to refer to the county clerk, as opposed to the chief election officer. In addition, an amendment to proposed §11-J to state that "[t]he counties shall be responsible for voter registration, absentee voting, voter service centers, places of deposit, and the mailing and receipt of ballots." Similarly, as the mailing of ballots is a task of the

county clerks, we believe the public notice of mailing should likewise be issued by the county clerks.

As it relates to Section 15 regarding late registration, we propose a housekeeping amendment to §11-15.2(c)(3) to increase the fine associated with providing false information from \$1,000 to \$10,000 for consistency with Class C felonies.

Thank you for the opportunity to testify in support of Senate Bill No. 428.

**JADE K. FOUNTAIN-TANIGAWA**  
County Clerk

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



**SCOTT K. SATO**  
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

**TESTIMONY OF JADE K. FOUNTAIN-TANIGAWA**  
**COUNTY CLERK, COUNTY OF KAUAʻI**  
**TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR**  
**ON SENATE BILL NO. 428**  
**RELATING TO ELECTIONS**  
**February 3, 2017**

Chair Keith-Agaran and Committee Members:

Thank you for the opportunity to provide written testimony in support of Senate Bill No. 428. This Bill proposes implementing elections by mail in a county with a population of fewer than 100,000 beginning with the primary election in 2018 and expands elections by mail statewide beginning with the 2020 primary election.

It is our belief that elections by mail will offer the most efficient and cost effective means for delivering voting services. Additionally, if needed, please feel to contact the County of Kauaʻi's Elections Division for any information on elections by mail or related matters.

Thank you for this opportunity to provide testimony in support of Senate Bill No. 428. Your favorable action and continued support of elections by mail is appreciated.

**JADE K. FOUNTAIN-TANIGAWA**  
County Clerk, County of Kauaʻi



Senate Judiciary and Labor Committee  
Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads

Friday 02/03/2017 at 8:45 AM in Room 016  
SB428– Relating to Elections

TESTIMONY — SUPPORT  
Corie Tanida, Executive Director, Common Cause Hawaii

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and members of the Committee:

**Common Cause Hawaii supports SB428** which would establish a statewide “Voting-by-Mail” or, “Elections-by-Mail” system.

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

#### **VOTING TRENDS**

It’s important that the ways we engage 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 SB428 achieves that goal in numerous ways; the first of which being the basic voter preference for Voting-by-Mail. 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. According to figures provided by the Office of Elections, trends show a leaning of basic voter preference for Voting-By-Mail with 54.4% of voters from the 2016 Hawaii Primary Election opting to participate by mail-in absentee ballot, compared with 38.1% who voted at their precinct.

#### **OVERCOMING LOGISTICAL OBSTICLES**

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: Hawaii’s 2014 Primary Election reminded us that the potential for storms, hurricanes, and other natural disasters, pose a substantial threat to an electoral system which relies heavily on holding elections on a single day. A Voting-by-Mail system is more “protected” from these natural disasters.

#### **POTENTIAL TO SAVE TAXPAYER MONEY**

Estimates from the Office of Elections show that after an initial technology investment, the state would save approximately \$800,000 per election cycle. 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 complemented by the election reform measures that are in the process of being implemented: Online Voter Registration, as of 2015; Late Voter Registration at Early Walk-In Sites as of 2016, and Election Day Registration as of 2018. Phasing in Voting-by-Mail will enable election officials to better implement and refine the new voting programs, and allow voters to become accustomed to them as well.

These programs, combined with implementing a Voting-by-Mail system, will showcase Hawaii as a “model” state for voting reforms.

**Thank you for the opportunity to offer testimony supporting SB428.**



HAWAII

AMERICANS FOR DEMOCRATIC ACTION

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23404

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Chuck Huxel

**MAILING ADDRESS**

PO. Box

Honolulu  
Hawaii'i 96823

January 31 , 2017

TO:            Honorable Chair Keith-Agaran and Members of Judiciary & Labor Committee

RE:            SB 428 Relating to Elections  
Support for hearing on Feb. 3

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support SB 428 as it would provide for easier voting by mail. Even in Hawaii we have seen people who were so frustrated by long lines at certain times and walked away rather than vote. (Personally I was a poll watcher in 2012 and saw it at the McCully/Kapiolani precinct.) We need to do everything we can to make it easier to vote. This bill would help.

Thank you for your consideration.

Sincerely,

John Bickel  
President

TESTIMONY  
THE LIBERTARIAN PARTY OF HAWAII  
c/o 1658 Liholiho St #205  
Honolulu, HI 96822

January 30 2017

RE: SB 428 to be heard, Friday February 3, at 8:45 AM in Room 016

To the members of the Senate Committee on Judiciary and Labor

We **oppose** this bill that will eliminate the choice of voters to go the polls on election day and cast their votes. Why tell thousands of voters that they must do something different than what they are comfortable with. Many people do not like mail in ballots as family members and others can influence the vote.

Signed:



Tracy Ryan, Chair



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

## COMMITTEE ON JUDICIARY AND LABOR

FRIDAY, February 2, 2017, 8:45 a.m., Room 016  
SB 428 RELATING TO ELECTIONS

### TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

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

**The League of Women Voters of Hawaii supports SB 428 that introduces voting by mail in Kauai County in 2018 and across all counties in 2020.** The League is very happy to see introduction of at least seven “vote by mail” bills in this session, and we support the intent of each bill. It is worth noting that all bills make voting by mail voluntary and that voter assistance would still be available in “voter service centers.”

We strongly support modernizing the way we vote and saving money in the process. Conducting elections by mail **statewide** is an extension of decades of experience with successful distribution, collection and counting of mail-in ballots. Hawaii has permitted absentee voting since 1976, so procedures for voting by mail, including division of labor between the Counties and the State, are well established. Our County Clerks and the Office of Elections support this change.

Voter education promoting “voting by mail” is already well underway, and voters are responding. To succeed with this approach, certain reminders we already use should be emphasized, such as signing the outside ballot return envelope and meeting the deadline for ballot return.

One major difference among the seven bills concerns the implementation schedule. This measure and SB 1066 both suggest voting by mail in Kauai County in 2018 and across all counties in 2020. SB 334 proposes introducing voting by mail simultaneously in all counties in 2020. Any of these schedules are acceptable to League, for voter benefits, cost savings and process improvements will be realized no matter when we begin.

SB 428, SB1066 and 334 all provide for postponement of elections in the event of a natural disaster or emergency. SB334 is silent about disclosure of election results following a natural disaster in a precinct. By comparison SB428 is strict; if precinct disclosure is withheld for any precinct (including



49 South Hotel Street, Room 314 | Honolulu, HI 96813  
[www.lwv-hawaii.com](http://www.lwv-hawaii.com) | 808.531.7448 | [voters@lwv-hawaii.com](mailto:voters@lwv-hawaii.com)

those not designated for postponement) printout disclosure is withheld until the postponed election has concluded. In contrast SB 1066 provides that election results for the postponed precinct would not be released until the election in that precinct concludes but disclosure for precincts not postponed *may* occur before the election is concluded.

Accordingly, please amend this measure as follows:

- a. Add the precaution of replacing defective ballots only after review by two observers, as required under SB334.
- b. Adapt the language of SB 1066 concerning release of election results for postponed elections to state that results for the postponed precinct would not be released until that election concludes and disclosure for precincts not postponed would not be released for up to seven calendar days until the postponed election has concluded.
- c. Correct the current dollar fine for an election violation to \$10,000 to correspond with other Class C felonies.

We now respectfully request that this Committee and the House Judiciary Committee advance only one "vote by mail" bill, amending it to add the best details of the remaining bills so that the Hawaii legislature demonstrates its commitment to making it easier for people to vote while providing more voter education! Thank you for the opportunity to submit testimony.





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Kekaulike Prosper Tomich

Cade Watanabe

Aloha Senate Committee on Judiciary and Labor,

My name is Anne Frederick and I am the Executive Director for the Hawai'i Alliance for Progressive Action (HAPA). HAPA is a statewide environmental, social and economic justice organization. HAPA engages over 10,000 local residents annually through our work.

From October through December of 2016 HAPA and several of our partners held a series of input gathering forums across the islands called the People's Congress. Over 800 people attended forums on Kaua'i, O'ahu, Maui and Hawai'i Island to discuss the most pressing issues facing their communities. Civics was one of seven issue areas we focused on. Every forum identified lack of voter engagement as a problem and the need to enact measures to help increase voter participation.

I am writing in strong support of the following Voting By Mail bills:

[SB334](#) Voting by Mail; Voter Service Centers (\$)

[SB428](#) Elections; Voting; Elections by Mail; Postposed Elections; Election Results; Election Expenses; Appropriation (\$)

[SB1066](#) Elections; Voting; Elections by Mail; Postponed Elections; Election Results; Election Expenses; Appropriation (\$)

Passing this bill would make voting more convenient by avoiding long lines and would save the state approximately \$800,000 every election cycle. As you know, Hawai'i has the lowest voter turnout across the nation. Reports from 2016 election indicate Hawai'i's voter turnout at only 58% down from 62% from four years earlier.

HAPA believes this bill will support more civic engagement throughout Hawai'i.

Respectfully,

Anne Frederick, Executive Director  
Hawai'i Alliance for Progressive Action (HAPA)

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Strong Support for SB334, SB428 and SB1066  
**Date:** Wednesday, February 1, 2017 5:47:01 PM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

I also feel this will help families not be stressed by time constraints to have to get to the polls, with there busy lives.

More people will also feel more motivated to vote the easier it is for them.

Please pass SB334, SB428, and SB1066.

Mahalo,  
Dr. Bonnie Marsh  
Haiku Town, Maui

**From:** [Carolina Visser](#)  
**To:** [JDL Testimony](#)  
**Subject:** Support for Vote-by-Mail Bills SB334, SB428, SB1066  
**Date:** Wednesday, February 1, 2017 10:14:05 PM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

[PERSONALIZE YOUR EMAIL OR DELETE THIS]

Please pass SB334, SB428, and SB1066.

Sincerely,  
[NAME]  
[TOWN]

Sent from my iPad

**From:**  
**To:** [JDL Testimony](#)  
**Subject:** Strong Support for SB334, SB428 and SB1066  
**Date:** Wednesday, February 1, 2017 4:51:46 PM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Please pass SB334, SB428, and SB1066.

Sincerely,  
Corine Chang  
Hilo, Hawaii

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Subject:** Submitted testimony for SB428 on Feb 3, 2017 08:45AM  
**Date:** Wednesday, February 1, 2017 10:04:48 PM

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**SB428**

Submitted on: 2/1/2017

Testimony for JDL on Feb 3, 2017 08:45AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cory Harden	Individual	Support	No

Comments: Aloha legislators, Please support vote-by-mail. This would prevent scenarios like the damage from Tropical Storm Iselle preventing many Puna voters from reaching the polls. And the ill-fated election in New York that had been planned for September 11, 2001. Mail-in gives people time to reflect on candidates and ballot measures, and saves taxpayer money. mahalo, Cory Harden, Hilo

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.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Strong Support for SB334, SB428 and SB1066  
**Date:** Wednesday, February 1, 2017 6:06:22 PM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Especially in communities like ours, the unpredictable work hours at the hotels makes Vote ny Mail the only logical way to ensure participation to the fullest extent!

Please pass SB334, SB428, and SB1066.

Sincerely,  
Diana and Mike Shaw  
Lana'i City

Sent from my iPhone - excuse my typos!

**From:**  
**To:** [JDL Testimony](#)  
**Subject:** Support for Vote by Mail Bills  
**Date:** Tuesday, January 31, 2017 11:21:50 AM

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COMMITTEE ON JUDICIARY AND LABOR

In support of SB334, SB428, and SB1066

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Please pass SB334, SB428, and SB1066.

Sincerely,

Elif Beall  
Kilauea, Kaua'i Hawai'i

**From:**

[JDLTestimony](#)

**Subject:**

Support for Vote-by-Mail Bills SB334, SB428, SB1066

**Date:**

Wednesday, February 1, 2017 10:42:54 PM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

Please pass SB334, SB428, and SB1066.

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

Being able to vote by mail would probably

increase participation in the electoral process

enable people to vote on their schedules

not interfere with peoples work or study

reduce the length of voting lines

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Sincerely,

Gordana Leonard  
Kailua Kona HI 96745



**From:**  
**To:** [JDL Testimony](#)  
**Subject:** SB334, SB428, SB1066  
**Date:** Thursday, February 2, 2017 8:26:07 AM

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Aloha,  
My names is James, I am a resident of Hawai'i Island and I support all SB334, SB428 and SB1066.

Thank you,  
James

Aloha 'Aina!

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Testimony Regarding SB334, 428, and 1066  
**Date:** Wednesday, February 1, 2017 9:29:02 AM  
**Attachments:** [Testimony.docx](#)  
[ATT00001.txt](#)

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Hello,

My name is Jun Shin, and this is my testimony in support of SB334, SB428, and SB1066 regarding elections. Thank you very much.

Mahalo,

Jun

I am writing this testimony in support of SB334, SB428, and SB1066. This is because I believe that in order to increase participation in our democracy, we need to make voting more accessible, and more comfortable for the 21<sup>st</sup> century American citizen. Hawaii has problems with voter turnout, and sure there are several examples of people being dissatisfied with the candidates, but it is also due to the fact that people are busy with their own lives and it is hard to take time off to vote so when you let us mail in, then surely we can vote at both our leisure and convenience without feeling unnecessary stress with the workload that we have in life. We have to make it easier, because voting is something that I strongly believe in as it let's all of us have a say in how our government works and who represents us. When so many don't vote, then we are leaving our government in the hands of a few and many times, decisions will be made that will truly not represent the needs and wants of all the people, and it leaves many both bitter and cynical toward the political process. I believe in this strongly and I do think that this will allow more of us to have a say and I believe that even in this divisive time, these bills will truly lead to a more perfect union. Thank you and I do hope to see all of you esteemed ladies and gentlemen supporting this, as it will not only benefit you politically in the eyes of the people, but you will have the satisfaction of knowing that you served the people and did some good for the Aloha state.

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Strong Support for SB334, SB428 and SB1066  
**Date:** Wednesday, February 1, 2017 4:44:08 PM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Our democracy depends on voting, this bill underscores these true values.

Please pass SB334, SB428, and SB1066.

Sincerely,  
Karen Marie Bellavita  
Hanalei

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Testimony - Voting by Mail  
**Date:** Thursday, February 2, 2017 8:19:21 AM

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Aloha,

I'm writing to submit testimony in support of the following bills related to voting by mail:

- SB334
- SB428
- SB1066

I support these bills because I believe voting by mail will increase voter participation, save the state money, and ease the voting process for individuals who may face difficulties getting to polling places.

While voting in the presidential election, I met an elderly Bulgarian-American woman who was struggling to stand in line at our polling place due to a leg injury. I offered her a ride home after, and realized when we got to her home, how far she had walked (a good mile) up and down hills just to turn out and vote! Let's ease the process for folks like her.

Thank you,  
Katie Adamson

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Support SB334, SB428, SB1066  
**Date:** Wednesday, February 1, 2017 8:38:22 PM

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Aloha,

My name is Kau'i Pratt-Aquino and I am in strong support of SB334, SB428, SB1066. We must address the lack of voter engagement in our state and do what we can to make this process is easier. Hawaii has one of the lowest percentage of voter turnout. These bills will help to increase the number of voters through the mail!

Please support these bills!

Mahalo!

Kau'i Pratt-Aquino, Esq.  
Pratt Law Hawai'i, LLC  
Phone: (808) 393-1948

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:**  
**Date:** Submitted testimony for SB428 on Feb 3, 2017 08:45AM  
Monday, January 30, 2017 4:44:42 PM

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**SB428**

Submitted on: 1/30/2017

Testimony for JDL on Feb 3, 2017 08:45AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kenneth R. Conklin, Ph.D.	Individual	Oppose	No

Comments: Voting by mail opens the door to massive amounts of voter fraud. For example, a politician could go door to door, or go to a nursing home, to "help" frail or elderly people fill out their ballots and to make sure those ballots get mailed in time. A union steward could demand his members bring their ballots to the union hall so they could all fill them out together "correctly" while eating beef stew and rice. In the recent election we worried about illegal voters or electronic "hacking." How easy is it for backroom bureaucrats to deliberately mis-count or discard mailed ballots they don't like? House and Senate in Washington D.C. and every state require that every vote on any bill must be done in person on the floor of the chamber -- legislators cannot stay in their offices, or back home, while voting electronically or by email. Legislator on deathbed in hospital got wheeled in on a gurney to cast his vote in person. Why? To protect against fraudulent voting. Please stop encouraging people to vote by mail or internet. Please do not pass any bill that forces people to vote by mail or on the internet or in any way other than in-person on election day.

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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**From:**

[JDLTestimony](#)

**Subject:**

Support for Vote-by-Mail Bills SB334, SB428, SB1066

**Date:**

Thursday, February 2, 2017 1:56:24 PM

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<!-- html ignored --><!-- head ignored --><!-- meta ignored --><body><p>Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our election.

Please pass SB334, SB428, and SB1066.

Sincerely, Laura Gray  
Hauula



**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Support for Vote-by-Mail Bills SB334, SB428, SB1066  
**Date:** Wednesday, February 1, 2017 5:12:17 PM

---

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Please pass SB334, SB428, and SB1066.

Sincerely,  
Malcolm Mackey  
Kaunakakai

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Strong Support for SB334, SB428 and SB1066  
**Date:** Wednesday, February 1, 2017 4:52:09 PM

---

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Please pass SB334, SB428, and SB1066.

Sincerely,  
Michael Bishop  
Waianae

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Support for Vote-by-Mail Bills SB334, SB428, SB1066  
**Date:** Wednesday, February 1, 2017 10:07:17 PM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Please pass SB334, SB428, and SB1066.

Sincerely, Mike deYcaza  
Honolulu  
Sent from my BLU smartphone device

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Strong Support for SB334, SB428 and SB1066  
**Date:** Wednesday, February 1, 2017 4:46:15 PM

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Alohg Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members:

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i. The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

As a volunteer during the primary election for ballot delivery and pick-up, I can testify to the legions of volunteers, the volume of supplies, and the logistics and expense involved in this operation that would be greatly eliminated by voting by mail.

Please pass SB334, SB428, and SB1066.

Mahalo,

Nancy Davlantes  
Kaneohe

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Support for Vote-by-Mail Bills SB334, SB428, SB1066  
**Date:** Thursday, February 2, 2017 9:56:11 AM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Please pass SB334, SB428, and SB1066.

Sincerely,

Patti Valentine  
Anahola, Kauai

PETER L. FRITZ  
TELEPHONE (SPRINT RELAY): (808) 568-0077  
E-MAIL: PLFLEGIS@FRITZHQ.COM

THE SENATE  
THE TWENTY-NINTH LEGISLATURE  
REGULAR SESSION OF 2017

COMMITTEE ON JUDICIARY AND LABOR

S.B. 428  
Hearing: February 3, 2017

RELATING TO ELECTIONS

Chair Keith-Agaran, Vice Chair Rhoads and members of the Committee. My name is Peter Fritz. I am an individual with a disability. I am testifying **in support of this bill, but with reservations** because the bill may discriminate against individuals with disabilities.

This bill establishes an election by mail system, including requirements for ballots, replacement ballots, deficient return of ballots, electronic transmission of replacement ballots under certain circumstances, ballot counting, voter service centers, places of deposit, and election expenses and responsibilities

There is a gap at the intersection between of voting by mail and accessible voting and absent changes to this bill, many people with disabilities and kupuna may fall through that gap.

Under this bill, voting by mail will be accompanied with a reduction of polling places. This change will make it more difficult for people with mobility or vision disabilities to get to a voter service center on election day where accommodations can be made for a disability.

However, assistive technology is available that allows disabled voters to privately and independently mark their ballots on their computers. Specifically, the state of Maryland implemented an online ballot marking tool that allows voters who are blind to mark their ballots independently. There is also the Prime III voting system that has been used in Oregon, Wisconsin, and New Hampshire for both in-person and mail voting.

This bill is silent about using assistive technology to allow individuals with disabilities to vote privately and independently. The only mention of accommodating voters with disabilities is that voters with special needs will be accommodated at Voter Service Centers. **It is respectfully submitted that accommodating disabled voters only at voter service centers will violate the nondiscrimination requirements of Title II of the Americans with Disabilities Act and/or the Help America Vote Act because other accommodations are available.**

I would ask that the Committee take notice of lawsuits that have been filed in Maryland<sup>1</sup>, Ohio<sup>2</sup>, and San Mateo County, California<sup>3</sup> regarding vote-by-mail and ballots that are inaccessible for individuals with disabilities. A court ordered Maryland to adopt a system for remote marking of ballots for the 2014 election.

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<sup>1</sup> Nat'l Fed'n of the Blind, Inc. v. Lamone (D. Md., 2014)

<sup>2</sup> Hindel v. Husted (S.D. Ohio, 2016)

<sup>3</sup> California Council of the Blind v. County of San Mateo Case 3:15-cv-05784 Filed 12/17/15

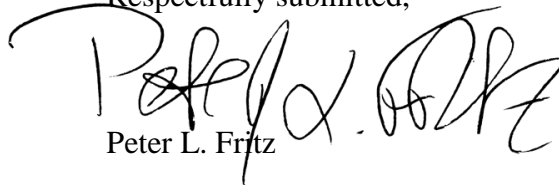
I respectfully suggest that this bill be amended to add language that the Office of Elections is to develop remote ballot marking systems and rules and procedures for individuals with disabilities to request an accommodation to use a system to mark their ballot privately and independently.

This bill includes an appropriation. I would respectfully request that consideration be given to the following be given when determining the amount of the appropriation:

- Development Costs for Accessible Ballots such as:
  - Tactile and large-print ballots for some voters with visual disabilities.
  - HTML ballots, which can be marked and printed with a home computer.
  - Software such as Prime III
  - Ballots that are compatible with JAWS<sup>®</sup>, WindowsEyes, ZoomText, Voice Over (Mac) and NVDA software.
- For voters without access to a computer or other assistive technology, an appropriation to acquire tablets with remote voting software and funding for Office of Election personnel to take such equipment to a voter. Oregon has a program where election officials take a tablet to nursing homes and to disabled voters so that these individuals can participate in elections.
- Funding for Training of Caregivers. Training for caregivers would include specific instructions on the legal requirements for voting and on the degree of assistance that is permissible. Even with the best imaginable accommodations, some voters with disabilities are likely to require third-party assistance in voting by mail. There is a concern that caregivers may assume an inappropriate “gatekeeping” role by failing to help someone complete a ballot even though that person still has the ability to understand the nature and effect of voting.

Thank you for the opportunity to testify.

Respectfully submitted,



Peter L. Fritz

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Support for Vote-by-Mail Bills SB334, SB428, SB1066  
**Date:** Thursday, February 2, 2017 5:43:47 AM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

I have worked many years at the polls on Kauai island and Hawaii island where I now reside. I know it is becoming increasingly difficult to get volunteers trained and ready through the office of elections. I think the measures under consideration will alleviate some of the pressure (and cost) of our election process; a cherished pillar of our Democracy!

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

Please pass SB334, SB428, and SB1066.

Sincerely,  
Rob Culbertson  
Paauilo, HI 96776



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDLTestimony](#)  
**Cc:** \*Submitted testimony for SB428 on Feb 3, 2017 08:45AM\*  
**Date:** Monday, January 30, 2017 7:23:13 PM

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**SB428**

Submitted on: 1/30/2017

Testimony for JDL on Feb 3, 2017 08:45AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
RuthMarie Quirk	Individual	Support	No

Comments:

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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February 1, 2017

To: Chair Gilbert S.C. Keith-Agaran, Vice-Chair Karl Rhoads & Members  
Senate Committee on Judiciary and Labor

From: Sharon Moriwaki  
425 South Street  
Honolulu, Hawaii 96813



Subject: Testimony in Support of S.B. 428, Relating to Elections and  
S.B. 1066, Relating to Elections

Both S.B. 428 and S.B. 1066 address Hawaii's low voter turnout problem. Ours is one of the lowest in the country. While there are a number of reasons for the apparent apathy, both these bills provide a Vote-by-Mail system that responds to the voter who cannot and does not vote at the polls and/or those who prefer to vote by absentee ballot. As a concerned citizen, I think that more engagement by our citizens will make for a better government, a better community. These bills will establish a more efficient and cost-effective voter registration and voter turnout system. Based on the foregoing, I respectfully urge your favorable consideration and passage of S.B. 428 and/or S.B. 1066.

**From:**  
**To:** [JDL Testimony](#)  
**Subject:** Support for Vote-by-Mail Bills SB334, SB428, SB1066  
**Date:** Wednesday, February 1, 2017 7:32:30 PM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,

I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.

The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.

These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.

I switched to voting by mail and I feel I have voted better, more clearly, not rushed, and really took the time to understand the issues of the laws being up for vote.

Please pass SB334, SB428, and SB1066.

Sincerely,  
Sheryl Harris  
Kalaheo

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Support for Vote-by-Mail Bills SB334, SB428, SB1066  
**Date:** Wednesday, February 1, 2017 5:24:13 PM

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**Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members,**

**I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i.**

**The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule.**

**These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections.**

**Please pass SB334, SB428, and SB1066.**

**Sincerely,**

**Thomas Tizard**

**Kailua**

**From:**  
**To:** [JDLTestimony](#)  
**Subject:** Strong Support for SB334, SB428 and SB1066  
**Date:** Thursday, February 2, 2017 6:27:12 AM

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Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members, I am testifying in support of these three Vote By Mail bills because they are an important step forward to increasing voting and civic engagement in Hawai'i. The convenience of voting by mail would help residents avoid long voting lines, have time to study, and vote on our own schedule. These measures would also save the State money: the Office of Elections estimates by having Vote By Mail and service centers, the state will save approximately \$800,000 every election cycle due to the streamlining of our elections. Please pass SB334, SB428, and SB1066.

Thank you for your service and representing me.  
Sincerely, Vance Collins Princeville HI.

**From:**  
**To:** [JDLTestimony](#);  
**Subject:** THREE VOTE-BY-MAIL BILLS  
**Date:** Wednesday, February 1, 2017 9:35:35 AM

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As a 55 year resident of Hawai'i, first voted in 1962 (!), and a Polling Place Chair Person, I am unalterably opposed to "Vote by Mail." I had a part time, 9-year-long affiliation with Oregon, 2006-2015, and find their system does NOT work well, does NOT encourage voting, and minimalizes the idea of citizens going to the polling place to express opinions. Voting by mail to "save money" is a cop out. A responsibility of any government, State of USA Federal, is to facilitate citizens to vote....not try to cut costs by end-runs like "vote for mail."

I urge you to vote against these three bills; they are NOT what Hawai'i needs.

Willis  
Prof Willis H A Moore